

**UNITED STATES AIR FORCE
COURT OF CRIMINAL APPEALS**

UNITED STATES	)	No. ACM 40682
<i>Appellee</i>	)	
	)	
v.	)	
	)	ORDER
John A. MABIDA	)	
Staff Sergeant (E-5)	)	
U.S. Air Force	)	
<i>Appellant</i>	)	Panel 1

On 12 August 2025, counsel for Appellant submitted a Consent Motion to Examine Sealed Materials. Our review of the record revealed that one of the requested items to be examined, Appellate Exhibit (A.E.) XXI is missing. The sealed envelope for A.E. XXI includes a duplicate copy of A.E. XXII, an exhibit not ordered sealed by the military judge. This court then ordered the Government to show good cause as to why this court should not remand the record of trial for correction.

On 26 August 2025, the Government responded acknowledging A.E. XXI is missing from the record of trial and that the record should be remanded for correction under Rule for Courts-Martial (R.C.M.) 1112(d).

Accordingly, it is by the court on this 2d day of September, 2025,

ORDERED:

The record of trial in Appellant's case is **REMANDED** to the Chief Trial Judge, Air Force Trial Judiciary, for correction under R.C.M. 1112(d) to account for Appellate Exhibit XXI, and any other portion of the record that is determined to be missing or defective hereafter, after consultation with the parties. *See* Article 66(g), UCMJ, 10 U.S.C. § 866(g); R.C.M. 1112(d)(2), (3). Thereafter, the record of trial will be returned to this court for completion of its appellate review under Article 66, UCMJ, 10 U.S.C. § 866.

The record of trial will be returned to the court not later than **24 September 2025** unless a military judge or this court grants an enlargement of time for good cause shown.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court