



DEPARTMENT OF THE ARMY

[UNIT]
[ADDRESS]
[CITY, STATE, ZIP CODE]

[DATE]

SUBJECT: Notification of Appellate Rights ([CASE NUMBER])

[ACCUSED NAME]
[ADDRESS]
[CITY, STATE, ZIP CODE]

Dear [ACCUSED NAME]:

In accordance with Rules for Courts-Martial 502(d)(5) and 1010, you have received advice and notice of your appellate rights from both your defense counsel and the military judge. This letter serves as further notice of your right to appeal. As the judgment of your court-martial includes a finding of guilty, your case is eligible for direct appeal to the United States Army Court of Criminal Appeals (ACCA). The Entry of Judgment (enclosed) and certified record of trial in your case will be forwarded to the Clerk of Court, ACCA.

Consideration by ACCA of the findings of guilty and the sentence in your case is not automatic; you must elect to appeal to ACCA. A copy of the record of trial in your case will be provided to an attorney within the Defense Appellate Division, who shall be detailed to review the case and, upon your request, to represent you before ACCA. The attorney detailed to review your case will have 90 days from the date that the Clerk of Court provides them with a copy of the record of trial to notify the Court of your intent to file an appeal or to waive your right to that appeal. Within those 90 days, if you waive your right to appeal or otherwise fail to notify the Court of your intent to appeal, your case will receive a more limited review by an attorney in the Office of The Judge Advocate General. To aid you in making and communicating your decision, we have enclosed an Advice as to Appellate Rights and an Election to Appeal Form. You are not required to wait to make your decision and may elect now to appeal your case to ACCA by completing and submitting the enclosed Election to Appeal Form.

You have the right to consult with counsel. Accordingly, you are responsible to ensure that appropriate and current contact information is provided to Defense Appellate Division for purposes of this consultation. Defense Appellate Division can be contacted via email at usarmy.pentagon.hqda-otjag.mbx.dad-accaservice@army.mil.

Sincerely,

[SIGNATURE]
[DUTY POSITION]
Office of the Staff Judge Advocate

Enclosures
AS