

**IN A GENERAL COURT-MARTIAL OF THE UNITED STATES
U.S. ARMY TRIAL JUDICIARY, SECOND JUDICIAL CIRCUIT**

UNITED STATES OF AMERICA)

v.)


BERGDAHL, ROBERT B.)
SGT, U.S. Army)
Headquarters and Headquarters)
Company, Special Troops)
Battalion, U.S. Army Forces)
Command, Fort Bragg,)
North Carolina 28310)

SEALING ORDER
Defense Appellate Exhibits 44-45,
Government Appellate Exhibit 43, and
Appellate Exhibit 20

30 September 2016

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1. In Appellate Exhibit 20, I granted the defense motion to seal the filings relating to the motion in Defense Appellate Exhibit 44, which consists of Defense Appellate Exhibits 44 and 45, Government Appellate Exhibit 43, and my ruling at Appellate Exhibit 20.
 2. ORDER. These exhibits are hereby ordered SEALED. The items that are the subject of this order will not be further reproduced and will be placed only in the original record of trial in accordance with Rule for Courts-Martial (R.C.M.) 1103A. Prior to authentication of the record of trial by the military judge, sealed materials may not be examined in the absence of an order from the military judge based on good cause shown. After authentication and prior to disposition of the record of trial pursuant to Rule for Courts-Martial 1111, sealed materials may not be examined in the absence of an order from the military judge upon a showing of good cause at a post-trial Article 39(a) session directed by the Convening Authority. *See* R.C.M. 1103A(b)(1-3). Nothing in this order prohibits reviewing and appellate authorities from examining the sealed matters IAW R.C.M. 1103A(b)(4).
 3. This order will be placed on the envelopes containing the exhibits. A copy of this order will be placed in the copies of the record of trial where the exhibits would ordinarily appear.

So ordered this 30th of September 2016.


JEFFERY R. NANCE
COL, JA
Military Judge

D-APPELLATE EXHIBIT 44