

SUBCHAPTER D—REGULATIONS PERTAINING TO MILITARY JUSTICE

PART 150—COURTS OF CRIMINAL APPEALS RULES OF PRACTICE AND PROCEDURE

- Sec.
- 150.1 Name and seal.
 - 150.2 Jurisdiction.
 - 150.3 Scope of review.
 - 150.4 Quorum.
 - 150.5 Place for filing papers.
 - 150.6 Signing of papers.
 - 150.7 Computation of time.
 - 150.8 Qualification of counsel.
 - 150.9 Conduct of counsel.
 - 150.10 Request for appellate defense counsel.
 - 150.11 Assignment of counsel.
 - 150.12 Retention of civilian counsel.
 - 150.13 Notice of appearance of counsel.
 - 150.14 Waiver or withdrawal of appellate review.
 - 150.15 Assignments of error and briefs.
 - 150.16 Oral arguments.
 - 150.17 En banc proceedings.
 - 150.18 Orders and decisions of the Court.
 - 150.19 Reconsideration.
 - 150.20 Petitions for extraordinary relief, answer, and reply.
 - 150.21 Appeals by the United States.
 - 150.22 Petitions for new trial.
 - 150.23 Motions.
 - 150.24 Continuances and interlocutory matters.
 - 150.25 Suspension of rules.
 - 150.26 Internal rules.
 - 150.27 Recording, photographing, broadcasting, or telecasting of hearings.
 - 150.28 Amendments.

APPENDIX A TO PART 150—FORMAT FOR DIRECTION FOR REVIEW IN A COURT OF CRIMINAL APPEALS

APPENDIX B TO PART 150—FORMAT FOR ASSIGNMENT OF ERRORS AND BRIEF ON BEHALF OF ACCUSED (§ 150.15)

AUTHORITY: Article 66(f), Uniform Code of Military Justice (10 U.S.C. § 866(f) (1994)).

SOURCE: 62 FR 2017, Jan. 15, 1997, unless otherwise noted.

§ 150.1 Name and seal.

(a) The titles of the Courts of Criminal Appeals of the respective services are:

- (1) “United States Army Court of Criminal Appeals.”
- (2) “United States Navy-Marine Corps Court of Criminal Appeals.”
- (3) “United States Air Force Court of Criminal Appeals.”

(4) “United States Coast Guard Court of Criminal Appeals.”

(b) Each Court is authorized a seal in the discretion of the Judge Advocate General concerned. The design of such seal shall include the title of the Court.

§ 150.2 Jurisdiction.

(a) The jurisdiction of the Court is as follows:

(1) *Review under Article 66.* All cases of trial by court-martial in which the sentence as approved extends to:

- (i) Death; or
- (ii) Dismissal of a commissioned officer, cadet or midshipman, dishonorable or bad-conduct discharge, or confinement for 1 year or longer; and in which the accused has not waived or withdrawn appellate review.

(2) *Review upon direction of the Judge Advocate General under Article 69.* All cases of trial by court-martial in which there has been a finding of guilty and a sentence:

- (i) For which Article 66 does not otherwise provide appellate review, and
- (ii) Which the Judge Advocate General forwards to the Court for review pursuant to Article 69(d), and
- (iii) In which the accused has not waived or withdrawn appellate review.

(3) *Review under Article 62.* All cases of trial by court-martial in which a punitive discharge may be adjudged and a military judge presides, and in which the government appeals an order or ruling of the military judge that terminates the proceedings with respect to a charge or specification or excludes evidence that is substantial proof of a fact material to the proceedings, or directs the disclosure of classified information, imposes sanctions for nondisclosure of classified information, or refuses to issue or enforce a protective order sought by the United States to prevent the disclosure of classified information.

(4) *Review under Article 73.* All petitions for a new trial in cases of trial by court-martial which are referred to the Court by the Judge Advocate General.