

**DEPARTMENT OF THE AIR FORCE
UNITED STATES AIR FORCE TRIAL JUDICIARY**

UNITED STATES)	
)	
v.)	GOVERNMENT’S M.R.E. 304(d)
)	NOTICE
MSgt Jeffery K. Andersen)	
(PACAF))	
Joint Base Elmendorf-Richardson, Alaska)	13 September 2021

COMES NOW the United States and gives notice to Defense Counsel pursuant to M.R.E. 304(d).

1. Pursuant to M.R.E. 304(d), the United States discloses the following statements, oral or written, made by MSgt Jeffery K. Andersen that are relevant to the case, known to trial counsel, and within control of the armed forces that it may seek to introduce during all portions of the trial to include findings, rebuttal, and sentencing:

a. All written and oral statements included in the documents previously provided to Defense Counsel, including, but not limited to, the Accused’s statements contained in the Commander Directed Report of Investigation, dated 26 March 2021. This includes, but is not limited to, verbal conversations witnesses described in the report (Tab F) and the Letter of Reprimand issued to MSgt Andersen, dated 24 September 2020.

b. All written statements included in the Letter of Reprimand issued to _____, dated 15 October 2020, that was previously provided to Defense Counsel.

2. If the Government becomes aware of any other such evidence, the Government will advise Defense Counsel as soon as practicable.

3. To the extent that any statement previously noticed in the Government’s MRE 304(d) notice amounts to uncharged misconduct, the Government hereby formally notifies Defense Counsel of its intent, pursuant to MRE 404(b), to use such statements as direct facts surrounding the events, for purposes other than proving the character of a person in order to show action in conformity therewith.

4. The Government reserves the right to offer any evidence, including, but not limited to, evidence regarding the matters enumerated above in the pre-sentencing phase of the trial pursuant to R.C.M. 1001.

5. The United States respectfully reserves the right to supplement this notice as necessary. Please contact me at _____ if you have any questions or if I may be of any assistance to you.

MORGAN L. TAYLOR, USAF
Assistant Trial Counsel

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing M.R.E. 304(d) notice to Defense Counsel via email on 13 September 2021.

MORGAN L. TAYLOR, Capt, USAF
Assistant Trial Counsel