UNITED STATES OF AMERICA	)	
	)	
v.	)	**Prosecution Request**
	)	**for Leave until 10 January 2013**
Manning, Bradley E.	)	**to Submit its Plan for Storing**
PFC, U.S. Army,	)	**any Appellate Exhibits not**
HHC, U.S. Army Garrison,	)	**Accompanying the Record of Trial**
Joint Base Myer-Henderson Hall	)	
Fort Myer, Virginia 22211	)	**18 December 2012**

The United States respectfully requests leave of the Court until 10 January 2013 to submit its plan for storing any Appellate Exhibits not accompanying the Record of Trial in one place under one custodian with a procedure for systematic reviews by the United States to ensure accountability through any appellate review. During the Article 13 motion hearing, the United States identified a secure facility which agreed to store such records, pending approval from each of the applicable equity holders. Yesterday, the United States learned that one of the equity holders would not agree to store its records at that facility. Since then, the United States has received tentative approval to store all records at a second secure facility owned by a government organization outside the Department of Defense. All applicable equity holders are seeking proper clearance for such records to be stored at this facility.

The United States requests additional time to receive final approval to store such records at this facility, to receive clearance from each applicable equity holder to store its records at this facility, to receive input from any appellate office (specifically, the Office of the Clerk of Court, United States Army Court of Criminal Appeals), and to ensure all security measures (e.g., security clearances, read-on requirements, access roster limitations) are properly considered and incorporated into the plan.

This request will not necessitate a delay in the proceedings because the continued effort to secure this plan will occur concurrently with the scheduled pretrial motions process. There will be no prejudice to the defense.

J. HUNTER WHYTE
CPT, JA
Assistant Trial Counsel

I certify that I served or caused to be served a true copy of the above on Mr. David Coombs, Civilian Defense Counsel, via electronic mail on 18 December 2012.

J. HUNTER WHYTE
CPT, JA
Assistant Trial Counsel

APPELLATE EXHIBIT 162
PAGE REFERENCED: ____
PAGE ____ OF ____ PAGES