

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,

Appellee

v.

Master Sergeant (E-8)  
**ANDREW D. STEELE**  
United States Army  
Appellant

MOTION FOR EXTENSION TO  
FILE APPELLANT'S REPLY BRIEF

Docket No. ARMY 20170303

Tried at Joint Base Lewis-McChord, Washington, on 2 March, 21 April, 16-19 May, 4 October 2017, 23 January 2020, 3 April 2020, 8 September 2020, 25 September 2020, 21-23 October 2020, before a general court-martial appointed by Commander, Headquarters, 7<sup>th</sup> Infantry Division, Colonel J. Harper Cook and Lieutenant Colonel Matthew Fitzgerald, Military Judges, presiding over sentence rehearing.

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES ARMY  
COURT OF CRIMINAL APPEALS**

COME NOW the undersigned appellate defense counsel, pursuant to Rules 23 and 24 of this court's Rules of Appellate Procedure, and move this court to grant appellant's Motion for Extension of Time. The undersigned appellate defense counsel request a 15-day extension of time until 20 January 2022 to file a Reply Brief on Behalf of Appellant.

1. Consistent with Army Reg. 27-26, Rules of Professional Conduct for Lawyers, undersigned counsel request additional time to ensure that all due diligence has been done to adequately respond to the Government's Brief in this case and to fulfil counsel's ethical obligation to represent Appellant's interest.

2. The record of trial in this contested case is 1624 pages. The approved sentence was adjudged on 17 May 2017, and it includes a bad-conduct discharge and reduction to Private E-3. His sentence rehearing sentenced him to reduction to E-5. Appellant concurs with the request for an extension.

3. The current due date is 5 January 2022. Defense counsel requests additional time to review the record, research issues, and confer with appellant after the Government's Brief is received. Additionally, the first undersigned counsel is on leave from 17 December 2021-2 January 2022, along with many of the reviewing attorneys at Defense Appellate Division.

4. The first undersigned defense counsel has 20 cases pending at this court and 6 pending at the Court of Appeals for the Armed Forces. Undersigned counsel was assigned this case on 31 May 2021.

5. Counsel anticipate responding substantively.

WHEREFORE, appellate defense counsel respectfully request that this Court grant the instant motion.

PANEL NO. 4

MOTION FOR EXTENSION  
TO FILE APPELLANT'S REPLY  
BRIEF

GRANTED:  \_\_\_\_\_

DENIED: \_\_\_\_\_

DATE: 27 DEC 2021



LAUREN M. TEEL  
CPT, JA  
Defense Appellate Division



RACHEL P. GORDIENKO  
MAJ, JA  
Branch Chief  
Defense Appellate Division

**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was electronically submitted to Army Court and Government Appellate Division on December 23, 2021.

  
MELINDA J. JOHNSON  
Paralegal Specialist  
Defense Appellate Division  


**From:** [REDACTED]  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: STEELE-20170303-Motion for Extension to file Appellant's Reply Brief-(211223)  
**Date:** Monday, December 27, 2021 9:38:00 AM  
**Attachments:** [Steele-20170303-Motion for Extension to file Appellant's Reply Brief-\(211223\).pdf](#)

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Your pleading is in compliance with the Court's Rules of Practice and Procedure, and the pleading is accepted.

Very respectfully,

Office of the U.S. Army Clerk of Court  
[REDACTED]

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**From:** [REDACTED]  
**Sent:** Thursday, December 23, 2021 7:10 AM  
**To:** [REDACTED]  
[REDACTED]  
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**Subject:** STEELE-20170303-Motion for Extension to file Appellant's Reply Brief-(211223)

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v/r  
Melinda J. Johnson  
Paralegal Specialist  
U.S. Army Legal Services Agency  
Defense Appellate Division

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