

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

**MOTION FOR LEAVE TO FILE
OUT OF TIME AND EXTENSION (2)**

v.

Docket No. ARMY 20210376

Major (O-4)
ANTHONY R. RAMIREZ
United States Army,
Appellant

Tried at Fort Bragg, North Carolina, on
22–23 June, 25–26 June 2021, before a
general court-martial appointed by
Commander, 82d Airborne Division,
Colonel J. Harper Cook, military judge,
presiding.

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 for leave to file
out of time a 30-day extension of time until ²³~~25~~ May 2022 to file a Brief on Behalf
of Appellant.

1. Consistent with Army Regulation 27-26, Rules of Professional
Conduct for Lawyers, the undersigned counsel request additional time
to ensure that counsel has diligently investigated, thoroughly
researched, and appropriately briefed the assignments of error in this
case in order to fulfill counsels' ethical obligation to represent the
appellant's interest.

2. This is a contested case. The trial transcript contains 643 pages.
The sentence adjudged on 26 June 2021 included confinement for five
months and a dismissal. Appellant is no longer in confinement.
Appellant concurs with this request.

3. Appellant's brief is currently due on ²³~~25~~ April 2022. Appellant
requests a 30-day extension of time to ²³~~25~~ May 2022.

4. Second undersigned counsel currently has eighteen cases pending before this court (including eleven contested cases) with approximately 8,500 transcript pages.

5. Appellant respectfully submits that there is good cause to grant this motion out of time. First undersigned counsel was unexpectedly out of office for the week of 18 February 2022. As a result, appellant's brief is not ready for submission to this court. This is appellant's first 30-day extension request.

6. The undersigned counsel request additional time to finalize and submit appellant's brief.

WHEREFORE, appellate defense counsel respectfully request that this court grant the instant motion out of time.

PANEL NO. 3

MOTION FOR LEAVE TO FILE
OUT OF TIME

GRANTED:

DENIED:

DATE: 26 April 2022


FOR: WILLIAM E. CASSARA
Civilian Appellate Counsel




MOTION FOR EXTENSION (2)

GRANTED: **FINAL/Out of
Time**

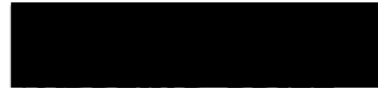
DENIED:

DATE: 26 April 2022


Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically submitted to the
Army Court and Government Appellate Division on 25 April 2022.



ANDREW R. BRITT
Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division