

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

MOTION FOR EXTENSION (3)

Appellee

v.

Docket No. ARMY 202100276

Staff Sergeant (E-6)
MICHAEL L. WILSON
United States Army

Appellant

Tried at Fort Stewart, Georgia, on
22 October and 30 November, 2020,
and 7 May, 10-13 May 2021, before a
general court-martial appointed by
the Commander, Headquarters, Fort
Stewart, Colonel G. Bret Batdorff,
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 Internal Rules of Practice and Procedure, and move this
court to grant appellant's Motion for Extension of Time. The undersigned
appellate defense counsel requests a 30-day extension of time, until ²³~~19~~ August
2022, to file a Brief on Behalf of Appellant. The Brief on Behalf of Appellant is
currently due on ²⁴~~19~~ July 2022. Pursuant to Rule 24.1(b), the first undersigned
counsel asserts:

1. On 13 May 2021, an enlisted panel, sitting as a general
court-martial, found Staff Sergeant (SSG) Michael L. Wilson
(appellant) guilty of three specifications of rape of child, three
specifications of sexual abuse of a child, and one specification of

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sexual assault upon a child in violations of Article 120b, Uniform Code of Military Justice, 10 U.S.C. §928a (2018) [UCMJ], contrary to his plea. On 13 May 2021, the military judge sentenced appellant to be confined for life with possibility of parole for each specifications of rape of a child, to be confined for ten years for each specifications of sexual abuse of a child, and to be confined for twenty years for the sexual assault upon a child specification. The military judge also specified that two of the life sentence with possibility of parole will be served consecutively as well as the other confinements. Finally, the military judge sentenced appellant to be discharged dishonorably from service. On 11 August 2021, the convening authority took no action.

2. The court referred appellant's case on 25 January 2022. Undersigned counsel received the record of trial on 10 February 2022, which includes 726 transcript pages and 1,340 pages of other documents to be reviewed. Appellant was convicted by a federal court for a collateral issue and is currently confined at Federal Correctional Institution, Jesup, GA. Appellant was put into solitary confinement for the month of April-May and was unavailable for consultation.

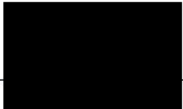
3. Appellant requested his trial defense attorneys' files and signed a Dorman Waiver on 1 April 2022. Upon receipt, the undersigned counsel reached out to the trial defense attorneys. On 18 July 2022, the undersigned counsel received hard disk with large volume of material.

4. Counsel requests additional time to ensure that all due diligence has been done to adequately review, investigate, research, and draft matters on behalf of appellant, as well as fulfill counsel's ethical obligation to represent his interests. Specifically, counsel needs additional time to review large volume of document received under *Dorman* waiver, as well as adequately consult with the client who is serving two consecutive life time sentence at Federal Correctional Institute.

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

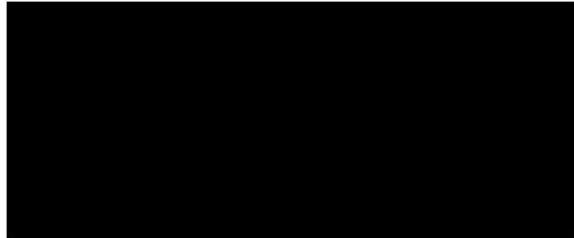
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MOTION FOR EXTENSION (3)

GRANTED: 

DENIED: _____

DATE: 21 July 2022



TUMENTUGS D. ARMSTRONG
Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division



MITCHELL D. HERNIAK
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 July 19, 2022.



MICHELLE L.W. SURRATT
Paralegal Specialist
Defense Appellate Division

