

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,

Appellee

**MOTION FOR
RECONSIDERATION OF
MOTION FOR EXTENSION (2)**

Docket No. ARMY 20210647

v.

Staff Sergeant (E-6)
ISAC D. MENDOZA
United States Army,

Appellant

Tried at Fort Riley, Kansas, on 20
September and 6-8 December 2021,
before a general court-martial
appointed by Commander,
Headquarters, 1st Infantry Division and
Fort Riley, Lieutenant Colonel Ryan
W. Rosauer, 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 a 30-day
extension of time until 27 September 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 376 pages
and the record of trial consists of 795 pages. The sentence was
adjudged on 8 December 2021, and it included a dishonorable
discharge, confinement for 30 months, and reduction to Private E1.
Appellant is currently in confinement. Appellant concurs with this
request.

3. The Brief on Behalf of Appellant is currently due on 28 August 2022. Appellant requests a 30-day extension of time to 27 September 2022 to file appellant's brief.

4. First undersigned counsel currently has nine cases before this Court pending opening briefs (including six contested cases), with approximately 4,149 transcript pages. Additionally, first undersigned counsel has four cases before the Court of Appeals for the Armed Forces (CAAF) pending supplements. Counsel has also received, and continues this month to receive, multiple transfer cases.

5. First undersigned counsel will be out of the office from 1-16 September 2022 on approved leave (use or lose).

6. Undersigned counsel requests additional time to review the record, research issues, confer with appellant, and accomplish supervisory review.

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

PANEL NO. 4
MOTION FOR RECON AND
MOTION FOR EXTENSION (2)

GRANTED  FINAL

DENIED _____

DATE 29 AUG 2022



CAROL K. RIM
CPT, JA
Appellate Defense Counsel
Defense Appellate Division



BRYAN A. OSTERHAGE
MAJ, JA
Acting Branch Chief
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 August 2022.



CAROL K. RIM
CPT, JA
Appellate Defense Counsel
Defense Appellate Division