

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

MOTION FOR EXTENSION (4)

v.

Docket No. ARMY 20210286

Private First Class (E-3)
LUIS A. MORALESSANCHEZ
United States Army,
Appellant

Tried at Fort Bliss, Texas, on 5 June, 3 August, 22 September 2020, 14, 25–26 January, 19 February, and 3–8, 10, 17 May 2021, before a general court-martial appointed by Commander, Fort Bliss, Colonel Michael S. Devine and Colonel Robert L. Shuck, military judges, 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 28 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 have diligently investigated, thoroughly researched, and appropriately briefed the assignments of error in this case in order to fulfill counsel's ethical obligation to represent the appellant's interest.

2. This is a contested case involving a mixed plea with twenty-five specifications, to include two contested convictions for Article 118 offenses. The record of trial with exhibits and attachments is approximately 4,000 pages, which includes 1461 pages of trial transcript. The sentence adjudged on 10 May 2021 included confinement for a total term of forty years and ten months and a

dishonorable discharge. Appellant is still in confinement. Appellant concurs with this request.

3. Appellant's brief is currently due on 29 August 2022. Appellant requests a 30-day extension of time to 28 September 2022.

4. Appellant is currently endeavoring to retain civilian appellate defense counsel within the next two weeks. Civilian counsel will require additional time to fully review the record of trial and prepare appellant's brief.

5. First undersigned counsel is currently assigned 32 cases (23 contested) with approximately 17,300 transcript pages pending before this court and the Court of Appeals for the Armed Forces (CAAF). Since the last extension request, first undersigned counsel instructed the Defense Appellate Division's new counsel training course from 1 to 5 August 2022, argued *United States v. Mays* before this court on 9 August 2022, argued *United States v. DeLess* before this court on 10 August 2022, filed a reply brief and three motions with this court, and filed a petition and a motion with the CAAF. In the next thirty days, first undersigned counsel has five other initial briefs (four anticipated to have assignments of error) and one reply brief due to this court, and one supplement with assignments of error due to the CAAF.

6. The undersigned counsel request additional time to review the record, research issues, confer with appellant, and conduct supervisory review.

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

PANEL NO. 3

MOTION FOR EXTENSION (4)

GRANTED:



FINAL

DENIED: _____

DATE: 24 August 2022



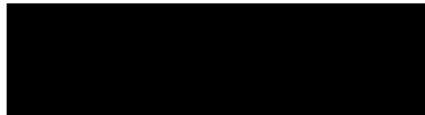
ANDREW R. BRITT
Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division



BRYAN A. OSTERHAGE
Major, Judge Advocate
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 23 August 2022.



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