

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

**MOTION FOR EXTENSION TO
FILE REPLY BRIEF**

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 a fifteen (15)
day extension of time until 11 October 2022 to file appellant’s reply brief.

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 reply to appellee’s brief 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. Undersigned counsel filed the Brief on Behalf of Appellant on 20 May 2022. Appellee filed its 41-page answer brief on 19 September 2022. Appellant’s reply brief is currently due on 26 September 2022. Appellant requests a fifteen-day extension of time to 11 October 2022.

4. On 15 September 2022, civilian appellate defense counsel had surgery at the Mayo clinic in Jacksonville, Florida. He is currently out of office and only been able to work on a limited basis since surgery. Second undersigned counsel is on scheduled annual leave from 19–23 September 2022. Second undersigned counsel currently has 28 cases (21 contested) with approximately 16,000 transcript pages pending before this court and the Court of Appeals for the Armed Forces.

5. The undersigned counsel request additional time to review the government's brief, research the issues, confer with appellant, and draft appellant's reply brief.

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


PANEL NO. 3


MOTION FOR EXTENSION TO
FILE REPLY BRIEF

GRANTED:  _____

DENIED: _____

DATE: 23 September 2022


FOR: WILLIAM E. CASSARA
Civilian Appellate Counsel


ANDREW R. BRITT
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 Army
Court and Government Appellate Division on September 22, 2022.



MELINDA J. JOHNSON
Paralegal Specialist
Defense Appellate Division