

I IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

MOTION FOR EXTENSION (2)

Docket No. ARMY 20210638

v.

Private (E-1)
LUKE A. WATKINS,
United States Army,
Appellant

Tried at Fort Hood, Texas, on 12 August, 27 September, 30 November, and 1–3 December 2021, before a general court-martial appointed by Commander, III Corps and Fort Hood, Lieutenant Colonel Tiffany D. Pond, 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 21 January 2023 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 panel case with mixed findings. The record of trial with exhibits and allied papers is approximately 1,880 pages, which includes 715 pages of trial transcript. The sentence adjudged on 3 December 2021 included confinement for 140 days and a bad conduct discharge. Appellant is no longer in confinement. Appellant concurs with this request.
3. Appellant's brief is currently due on 22 December 2022. Appellant requests a 30-day extension of time to 21 January 2023.

4. First undersigned counsel is currently assigned 29 cases (23 contested) with approximately 15,950 transcript pages pending before this court and the Court of Appeals for the Armed Forces (CAAF). In the next thirty days, first undersigned counsel has two other initial briefs due to this court, and two supplements with assignments of error and a reply brief due to the CAAF. First undersigned counsel will be overseas on scheduled annual leave from 8 to 29 December 2022.

5. 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 (2)

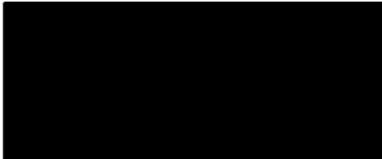
GRANTED: 

DENIED: _____

DATE: 8 December 2022


ANDREW D. BERTT

Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division


JOYCE C. LIU
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 7 December 2022.



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