

I IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

MOTION FOR EXTENSION (3)

v.

Docket No. ARMY 20210638

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 20 February 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 21 January 2023. Appellant
requests a 30-day extension of time to 20 February 2023.

4. First undersigned counsel is currently assigned 29 cases (22 contested) with approximately 15,500 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 and an answer brief in an Article 62 appeal due to this court, and a brief and four supplements due to the CAAF. First undersigned counsel was 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 (3)

GRANTED: 

DENIED: _____

DATE: 18 January 2023


ANDREW R. BRITT
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 13 January 2023.



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

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To: [Britt, Andrew R CPT USARMY HQDA OTJAG \(USA\)](#); [USARMY Pentagon HQDA OTJAG Mailbox TJ Service](#)
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Subject: RE: Watkins-20210638-Motion for Extension (3) (230113)
Date: Tuesday, January 17, 2023 12:48:00 PM
Attachments: [Watkins - 20210638 - Motion for Extension \(3\) \(230113\).pdf](#)

Your pleading is in compliance with the Court's Rules of Practice and Procedure, and the pleading is accepted.

Very respectfully,

Office of the U.S. Army Clerk of Court
9275 Gunston Road, Bldg. 1450
Fort Belvoir, VA 22060-5546

From: Britt, Andrew R CPT USARMY HQDA OTJAG (USA) <andrew.r.britt.mil@army.mil>
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Very respectfully,

ANDREW R. BRITT
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