

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,

Appellee

v.

Staff Sergeant (E-6)
ALEX J. SECORD
United States Army,
Appellant

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

Docket No. ARMY 20210667

Tried at Fort Bragg, North Carolina on
15 July 2021, 2 September 2021, 3
December 2021 and 13-18 December
2021, before a general court-martial
appointed by Commander, 82d
Airborne Division, Colonel Travis
Rogers, military judge, presiding.

TO THE HONORABLE, THE JUDGES OF THE UNITED STATES ARMY
COURT OF CRIMINAL APPEALS

COMES NOW the undersigned appellate defense counsel, pursuant to
Rules 23 and 24 of this court's Rules of Appellate Procedure, and move this
court to grant appellant's Motion for Extension. The undersigned appellate
defense counsel requests a 30-day extension of time until **2 April 2023** to
file a Brief on Behalf of Appellant.

1. Consistent with Army Reg. 27-26, Rules of Professional Conduct for
Lawyers, undersigned counsel request additional time to ensure that all due
diligence has been done to adequately review, investigate, research, and
brief the assignments of error in this case and to fulfill counsel's ethical
obligation to represent Appellant's interest.

2. This record of trial is 1684 pages. An enlisted panel sitting as a general court martial found Appellant guilty, contrary to his pleas, of five specifications of wrongful use of a controlled substance, and one specification of violation of a lawful general regulation, in violation of Articles 112a and 92, UCMJ. (Charge Sheet). The panel sentenced Appellant to 85 days confinement, reduction to the grade of E-2, and a bad-conduct discharge.
3. The current due date is 3 March 2022. Appellant consents to this extension. This extension is necessary due to other obligations that have delayed undersigned appellate counsel's ability to finalize this brief. Specifically, undersigned appellate counsel had oral argument at the Court of Appeals for the Armed Forces for *United States v. Steele*. Undersigned counsel are also lead counsel for a post-trial hearing in *United States v. Pope*, which will take first undersigned counsel out of the office for approximately five days. Additional reply briefs in *United States v. Geranen*, *United States v. Moore*, and a reply in opposition to a motion for reconsideration in *United States v. Yopez* also limited first undersigned counsel's ability to complete this brief.

4. Undersigned counsel currently has six other cases pending the Brief
on Behalf of Appellant before this Court.

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

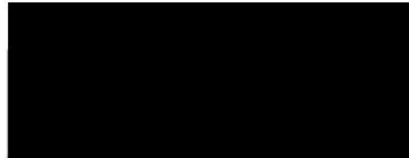
PANEL NO. 2

MOTION FOR EXTENSION (2)

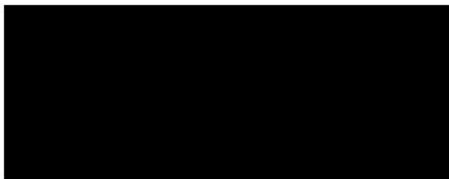
GRANTED: 

DENIED: _____

DATE: 22 February 2023



SARAH H. BAILEY
CPT, JA
Appellate Defense Counsel



MITCHELL HERNIAK
MAJ, JA
Branch Chief
Defense Appellate Division

CERTIFICATE OF FILING AND SERVICE

Undersigned counsel certifies that a copy of the foregoing was electronically delivered to the Army Court and the Government Appellant Division on: February 21, 2023



Sarah H. Bailey
CPT, JA
Appellate Defense Counsel
Defense Appellate Division