

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

**MOTION FOR EXTENSION (2)**

v.

Docket No. ARMY 20230233

First Sergeant (E-8)  
**STEVEN K. WILSON,**  
United States Army,

Appellant

Tried at Vilseck, Germany, on  
3 March 2023, 30 March 2023, 26  
April 2023, 27-28 April 2023 before a  
special court-martial appointed by the  
Commander, 7th Army Training  
Command, Lieutenant Colonel  
Thomas Hynes, 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 this court to grant appellant's Motion for Extension of Time. The undersigned appellate defense counsel requests a 30-day extension of time until **2 February 2024** to file a Brief on Behalf of Appellant. Pursuant to Rule 24.1(b), the undersigned counsel asserts:

1. On 28 April 2023, a military judge sitting as a special court-martial convicted appellant, contrary to his pleas, of one specification of kidnapping, one specification of assault consummated by a battery, one specification of communicating a threat, and one specification of provoking speech and gestures, in violation of Articles 125, 128, 115, and 117, Uniform Code of

**Panel 3**

Military Justice, 10 U.S.C. §§ 925, 928, 915, and 917 [UCMJ] respectively.

(Statement of Trial Results). The military judge sentenced appellant to no punishment. (R. at 549).

2. Appellant's record of trial was received in the Defense Appellate Division on 5 October 2023 and is 551 pages long. The current due date is **3 January 2023**. Appellant concurs with this request for delay.
3. Detailed appellate defense counsel requests additional time to complete his review of the record, research issues, and complete the draft filings in this case. Additionally, detailed appellate defense counsel anticipates email correspondence from the Ansbach, Germany CID office to aid him in preparing filings in this case.
4. Appellant requested appellate review of his case pursuant to Article 66(b)(1), UCMJ. Undersigned counsel was assigned to this case on 10 October 2023. Given the shorter timeframe, it is requested this court grant a second extension to allow counsel time to complete a meticulous review of the record and draft a brief on behalf of appellant.
5. Undersigned counsel has eight pending cases before this court and will be on personal leave from 20-26 December 2023.
6. Consistent with Army Reg. 27-26, Rules of Professional Conduct for Lawyers, undersigned counsel requests 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 interests.

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

PANEL NO. 3

MOTION FOR  
EXTENSION (1)

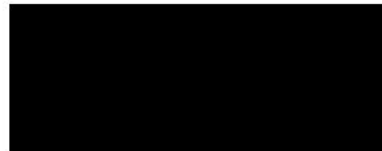
GRANTED: 

DENIED: \_\_\_\_\_

DATE: 21 December 2023



AMIR R. HAMDOUN  
Captain, Judge Advocate  
Appellate Defense Counsel  
Defense Appellate Division



MITCHELL D. HERNIAK  
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 of Criminal Appeals and the Government Appellate Division on 19  
December 2023.



Mitchell D. Herniak  
Major, Judge Advocate  
Branch Chief  
Defense Appellate Division