

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,
Appellee

MOTION FOR EXTENSION (2)

v.

Docket No. ARMY 20220272

Specialist (E-4)
TAYRON D. DAVIS
United States Army,
Appellant

Tried at Kaiserslautern, Germany on 14 February 2022, 11 April 2022, 19 May 2022, and 23-24 May 2022 before a general court-martial convened by Commander, Headquarters, 21st Theater Sustainment Command, Colonel Charles Pritchard and Lieutenant Colonel Tom Hynes, Military Judges, 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 thirty-day extension of time until 19 March 2023 to file a Brief on Behalf of Appellant.

1. This is a contested case involving two specifications of an Article 120 offense. The transcript and associated exhibits are approximately 600 pages. The sentence adjudged on 24 May 2022 included confinement for 120 days and a dishonorable discharge. Appellant is no longer in confinement.

2. In addition to the above-captioned case, the first undersigned counsel is detailed to nine other active cases, including *United States v. Hasan*, a death penalty case. Moreover, the first undersigned counsel is acting in a supervisory capacity on cases before the Court of Appeals for the Armed Forces with pleadings that are anticipated to be filed this month.

3. Appellant's brief is currently due on 17 February 2023. Appellant requests a thirty-day extension of time until 19 March 2023.

4. Consistent with Army Reg. 27-26, Legal Services: Rules of Professional Conduct for Lawyers (28 Jun. 2018), the first undersigned counsel requests additional time to review the case and to fulfill counsel's ethical obligation to represent appellant's interest.

5. Appellant consents to this extension request.

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


PANEL NO. 3

MOTION FOR EXTENSION (2)

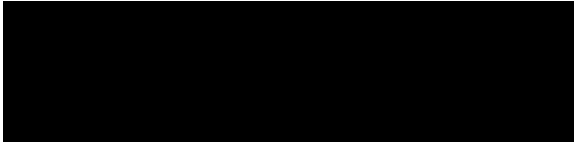
GRANTED: 

DENIED: _____

DATE: 15 FEB 23



BRYAN A. OSTERHAGE
Major, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division



JONATHAN F. POTTER
Senior Capital Defense Attorney
Appellate Defense Counsel
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 10 February 2023.



BRYAN A. OSTERHAGE
Major, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division