

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,

Appellee

**MOTION FOR EXTENSION TO
FILE APPELLANT’S REPLY
BRIEF**

Docket No. ARMY 20210647

v.

Staff Sergeant (E-6)
ISAC D. MENDOZA
United States Army,

Appellant

Tried at Fort Riley, Kansas, on 20
September and 6-8 December 2021,
before a general court-martial
appointed by Commander,
Headquarters, 1st Infantry Division and
Fort Riley, Lieutenant Colonel Ryan
W. Rosauer, 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 14-day
extension of time until 15 February 2023 to file Appellant’s Reply Brief.

1. Consistent with Army Regulation 27-26, Rules of Professional
Conduct for Lawyers, the undersigned counsel request additional time
to ensure that counsel has diligently investigated, thoroughly
researched, and appropriately responded to the government’s brief in
this case in order to fulfill counsels’ ethical obligation to represent the
appellant’s interest.

2. This is a contested case. The trial transcript contains 376 pages
and the record of trial consists of 795 pages. The sentence was
adjudged on 8 December 2021, and it included a dishonorable
discharge, confinement for 30 months, and reduction to Private E1.
Appellant is currently in confinement. Appellant concurs with this
request.

3. The Reply Brief on Behalf of Appellant is currently due on 1 February 2023. Appellant requests a 14-day extension of time to 15 February 2023 to file appellant's reply brief.


4. First undersigned counsel will be presenting oral argument before the Court of Appeals for the Armed Forces on 7 February 2023 (*United States v. Kim*, USCA Dkt. No. 22-0234/AR). Additionally, first undersigned counsel is pending a Reply Brief on Behalf of Appellant due on 3 February 2023 (*United States v. Lewis*, Army 20210434). First undersigned counsel currently has eight cases before this Court pending opening briefs and two cases before the Court of Appeals for the Armed Forces (CAAF) pending supplements.

5. Undersigned counsel request additional time to review the record, research issues, confer with appellant, and accomplish supervisory review.

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


PANEL NO. 4

MOTION FOR EXTENSION TO
FILE REPLY BRIEF

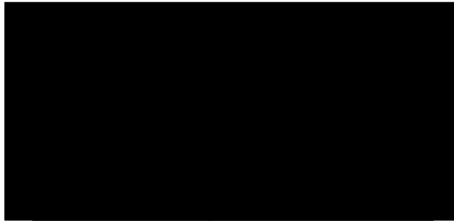
GRANTED 

DENIED _____

DATE 31 JAN 2023



CAROL K. RIM
CPT, JA
Appellate Defense Counsel
Defense Appellate Division



JOYCE C. LIU
MAJ, JA
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 30 January 2023.



CAROL K. RIM
CPT, JA
Appellate Defense Counsel
Defense Appellate Division