

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

MOTION FOR EXTENSION (2)

v.

Docket No. ARMY 20190525

Specialist (E-4)

PHILLIP E. THOMPSON, JR.

United States Army

Appellant

Tried at Fort Stewart, Georgia on 7-14 August 2023, before a general court-martial appointed by Commander, Headquarters, Fort Stewart, Colonel Harper J. Cook, 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 moves this court to grant an extension of time until 25 May 2024 to file appellant's brief on rehearing.

1. This is a contested rehearing in full involving two specifications of murder. Appellant was sentenced to eight years of confinement and a dishonorable discharge. Appellant remains in confinement.
2. The electronic record of trial, including allied documents, the transcript, and associated exhibits, is 2,739 pages.
3. Counsel's review of the case has identified issues that require further attention.
4. The undersigned is currently on eleven other active cases, including *United States v. Hasan*, a capital case, which the undersigned serves as lead military counsel. Presently, the undersigned is working on a Supreme Court petition in *Hasan*, as well as a supplement due to the

Court of Appeals for the Armed Forces on 30 April 2024. The undersigned is also working on a brief due before this court on 5 May 2024.

5. Appellant's brief is currently due on 25 April 2024. Appellant requests a thirty-day extension of time until 25 May 2024. This extension is necessary to consult with appellant and complete appellant's brief. Absent extraordinary circumstances, the undersigned does not anticipate any additional extensions.

6. Appellant consents to this extension request.

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

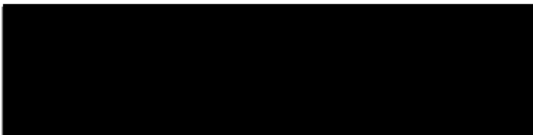
Panel No. 4

MOTION FOR EXTENSION (2)

GRANTED: 

DENIED: _____

DATE: 19 APR 2024



BRYAN A. OSTERHAGE
Major, Judge Advocate
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 of Criminal Appeals and the Government Appellate Division on 18 April 2024.



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