

**IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS**

UNITED STATES

Appellee

**MOTION FOR EXTENSION (1)**

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 April 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 two Supreme Court petitions, as well as two petitions to the Court of

Appeals for the Armed Forces with supplements currently due in the next seven days. The undersigned is also working on the brief in *United States v. Garcia*, which is currently due to this court on 6 April 2024.

5. Appellant's brief is due on 26 March 2024. Appellant requests a thirty-day extension of time until 25 April 2024. This extension is necessary to consult with appellant and complete appellant's brief.

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 (1)

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


GRANTED: \_

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

DATE: 20 MAR 2024

## **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 18 March 2024.



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