

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

UNITED STATES,  
Appellee

**MOTION FOR EXTENSION (1)  
TO FILE APPELLEE BRIEF**

v.

Docket No. ARMY 20240254

Lieutenant Colonel (O-5)  
**ASHLEY R. ELLIS**,  
United States Army,  
Appellant

Tried at Fort Belvoir, Virginia on 20  
February, 12 April, and 13-17 May  
2024, before general court-martial  
appointed by the Commander, U.S.  
Army Garrison, Fort Belvoir, Colonel  
Adam Kazin, Military Judge,  
presiding.

**TO THE HONORABLE, THE JUDGES OF THE  
UNITED STATES ARMY COURT OF CRIMINAL APPEALS**

COMES NOW the undersigned appellate government counsel, pursuant to  
Rules 23 and 24.1(a) of this Honorable Court's Rules of Appellate Procedure and  
moves for a 30-day extension of time, until 15 February 2024, to file the  
government's brief on behalf of appellee. The government requests this extension  
of time for the following reasons:

1. The government's brief is currently due 16 January 2024.
2. On 17 May 2024, appellant was convicted, contrary to his plea, of a  
single charge and specification of conduct unbecoming an officer, in violation of  
Article 133, Uniform Code of Military Justice. The military judge sentenced  
appellant to a reprimand the same day.

3. The record for this case is over 3,500 pages including over 1,400 pages of transcript with the issues raised permeating the record, as Defense Appellate Counsel states in its request to file a brief in excess of 50 pages. Appellant's brief is 86 pages, including 51 pages submitted by Defense Appellate Counsel and another 20 pages submitted directly by Appellant via *US v. Grostefon*.

4. The undersigned counsel is a Branch Chief for the Government Appellate Division and assumed responsibility for this case on 18 December 2024, days before the Holiday Block Leave period ending on 6 January 2025 during which Government Counsel had preapproved leave. The undersigned currently supervises five appellate attorneys with a total of 7 briefs to review and edit. Additionally, all federal government offices in the National Capital Region closed on 6, 7, and 9 January twice due to inclement weather and once for a National Day of Mourning in response to the passing of President Jimmy Carter. Appellant defense counsel submitted a 30-day extension on 13 November 2024, which was subsequently granted.

5. Government counsel requests this extension to ensure an effective review process and to respond to appellant's assignments of error fully and thoroughly.

6. Defense counsel opposes this motion.

WHEREFORE, the government respectfully requests that the Court grant  
this motion.

MOTION FOR EXTENSION (1)  
TO FILE APPELLE BRIEF

PANEL: 2

GRANTED:

DENIED:

DATE: 15 January 2025

JUSTIN L. TALLEY

MAJ, JA

Branch Chief

Government Appellate Division

**CERTIFICATE OF SERVICE, U.S. v. ELLIS (20240254)**

I certify that a copy of the foregoing was sent via electronic submission to the Defense Appellate Division at *usarmy.pentagon.hqda-otjag.mbx.dad-accaservice@mail.mil* on the 8th day of January, 2025.



DANIEL L. MANN  
Senior Paralegal Specialist  
Government Appellate Division  
9275 Gunston Road  
Fort Belvoir, VA 22060-5546  
(703) 693-0822  
[Daniel.l.mann.civ@mail.mil](mailto:Daniel.l.mann.civ@mail.mil)

**From:** [USARMY Pentagon HQDA OTJAG Mailbox Clerk of Court eFiling](#)  
**To:** [USARMY Pentagon HQDA OTJAG Mailbox GAD ACCAservice](#); [USARMY Pentagon HQDA OTJAG Mailbox DAD ACCAservice](#); [USARMY Pentagon HQDA OTJAG Mailbox TJ Service](#)  
**Cc:** [Talley, Justin L MAJ USARMY HQDA \(USA\)](#); [Mann, Daniel L CIV USARMY HQDA OTJAG \(USA\)](#)  
**Subject:** RE: --REFILE--Certificate of Service-ELLIS-20240254-Motion for Extension (1) to File Appellee Brief-(250108)  
**Date:** Friday, January 10, 2025 1:41:00 PM  
**Attachments:** [ELLIS-20240254-Motion for Extension \(1\) to File Appellee Brief-\(250108\).pdf](#)

---

Your pleading is in compliance with the Court's Rules of Practice and Procedure, and the pleading is accepted. Please note that the current date due and the proposed date due are incorrect, they should be **16 January 2025** and **15 February 2025**. A pen and ink change will be made by the court.

Office of the U.S. Army Clerk of Court  
9275 Gunston Road, Bldg. 1450  
Fort Belvoir, VA 22060-5546

---

**From:** USARMY Pentagon HQDA OTJAG Mailbox GAD ACCAservice <usarmy.pentagon.hqda-otjag.mbx.gad-accaservice@army.mil>  
**Sent:** Wednesday, January 8, 2025 3:13 PM  
**To:** USARMY Pentagon HQDA OTJAG Mailbox Clerk of Court eFiling <usarmy.pentagon.hqda-otjag.mbx.clerk-of-court-efiling@army.mil>; USARMY Pentagon HQDA OTJAG Mailbox DAD ACCAservice <usarmy.pentagon.hqda-otjag.mbx.dad-accaservice@army.mil>; USARMY Pentagon HQDA OTJAG Mailbox GAD ACCAservice <usarmy.pentagon.hqda-otjag.mbx.gad-accaservice@army.mil>; USARMY Pentagon HQDA OTJAG Mailbox TJ Service <usarmy.pentagon.hqda-otjag.mbx.tj-service@army.mil>  
**Cc:** Talley, Justin L MAJ USARMY HQDA (USA) <justin.l.talley.mil@army.mil>; Mann, Daniel L CIV USARMY HQDA OTJAG (USA) <daniel.l.mann.civ@army.mil>  
**Subject:** --REFILE--Certificate of Service-ELLIS-20240254-Motion for Extension (1) to File Appellee Brief-(250108)

--REFILE--

I hereby certify the following document was transmitted on the date/time of this message.

ELLIS-20240254-Motion for Extension (1) to File Appellee Brief-(250108)

1 attachment was served.

Please acknowledge receipt of this message.

DANIEL L. MANN  
Senior Paralegal Specialist  
Government Appellate Division, U.S. Army Legal Services Agency Fort Belvoir, VA 22060  
(703)693-0822; cell (540)645-8481

