

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES,  
Appellee

**MOTION FOR EXTENSION (6)**

v.

Docket No. ARMY 20230520

Staff Sergeant (E-6)  
**RICHARD T. RIDDLE**  
United States Army,  
Appellant

Tried at Wheeler Army Airfield,  
Hawaii, on 27 January 2023, 13 March  
2023, 5-6 June 2023, 28 July 2023, and  
25-29 September 2023, before a  
general court-martial appointed by  
Commander, 8th Theater Sustainment  
Command, Lieutenant Colonel Robert  
E. Murdough, 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 for a thirty-day extension of time until 20 March 2025 to file a Brief on Behalf of Appellant.

1. Appellant was convicted, contrary to his pleas, of a violation of Article 128, Uniform Code of Military Justice [UCMJ], as a lesser included offense of Article 120, and one specification of kidnapping. Appellant was also convicted, consistent with his pleas, of one specification of Article 128; several specifications of Article 91; two specifications of Article 90, four specifications of Article 89; two specifications of Article 86; and one specification of Article 134. Appellant was sentenced to more than 116 months confinement, and he remains incarcerated.

2. The complete electronic record of trial is 2,746 pages, including multiple trial exhibits and 110 appellate exhibits. Numerous issues were contested, including speedy trial, witness production, expert requests, evidentiary matters, and the panel instructions.

3. The undersigned counsel is detailed to twenty cases, including *United States v. Hasan*, a death penalty case.
4. The undersigned's review of the record has identified significant issues pertaining to each finding of guilty in the contested portion of appellant's trial. One issue requires investigation on matters outside the record, which may necessitate appellate discovery with this court. Counsel recently experienced unexpected logistical issues in sending and receiving documents to and from appellant, who is currently incarcerated at the United States Disciplinary Barracks. This caused a delay in the investigation, and the undersigned is now currently waiting on documents from trial defense counsel. These documents are critical to the review of appellant's case and the identified issues.
5. Appellant's brief is currently due on 18 February 2025. Appellant requests a thirty-day extension of time until 20 March 2025.
6. Consistent with Army Reg. 27-26, Legal Services: Rules of Professional Conduct for Lawyers (28 Jun. 2018), the undersigned counsel requests additional time to review the case and fulfill counsel's ethical obligation to represent appellant's interest.
7. Appellant consents to this extension request.

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

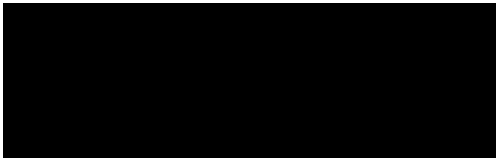
PANEL NO. 2

MOTION FOR EXTENSION (6)

GRANTED:

DENIED:

DATE: 18 February 2025



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 and Government Appellate Division on 13 February 2025.



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

**From:** [USARMY Pentagon HQDA OTJAG Mailbox Clerk of Court eFiling](#)  
**To:** [Osterhage, Bryan A MAJ USARMY \(USA\)](#); [USARMY Pentagon HQDA OTJAG Mailbox TJ Service](#)  
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**Subject:** RE: Riddle-20230520-Motion for Extension (6) (250213)  
**Date:** Friday, February 14, 2025 12:42:00 PM  
**Attachments:** [Riddle-20230520-Motion for Extension \(6\) \(250213\).pdf](#)

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Your pleading is in compliance with the Court's Rules of Practice and Procedure, and the pleading is accepted.

Very respectfully,

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

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**From:** Osterhage, Bryan A MAJ USARMY (USA) <bryan.a.osterhage.mil@army.mil>  
**Sent:** Thursday, February 13, 2025 5:50 PM  
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Dear Clerk of Court,

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

Riddle-20230520-Motion for Extension (6) (250213)

One attachment was served.

Very respectfully,

Bryan Osterhage  
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Appellate Attorney  
Defense Appellate Division  
9275 Gunston Road  
Fort Belvoir, VA 22060

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