

IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

MOTION FOR EXTENSION (3)

v.

Docket No. ARMY 20240327

Specialist (E-4)

**HECTOR A. GONZALEZ-
GARCIA,**

United States Army,

Appellant

Tried at Fort Bliss, Texas, on 3
October 2023, 25-28 June 2024,
before a general court-martial
appointed by the Commander,
Headquarters, 1st Armored Division,
Colonel Michael C. Friess, 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 this court to grant appellant's Motion for Extension of Time. The undersigned appellate defense counsel request a 30-day extension of time until 5 October 2025 to file a Brief on Behalf of Appellant. The Brief on Behalf of Appellant is currently due on 6 September 2025. Pursuant to Rule 24.1(b), the undersigned counsel assert:

1. On 28 June 2024, a military judge sitting as a general court-martial convicted appellant, SPC Hector A. Gonzalez-Garcia, contrary to his pleas, of two specifications of committing a violent offense, 128, UCMJ. (R. at 407; Charge Sheet). On that same day the military judge sentenced appellant to a dishonorable discharge and confinement for five years. (R. at 778).

Panel 2

2. On 2 August 2024, the convening authority approved the findings and sentence. (Convening Authority Action). On 15 August 2024, the military judge entered Judgment. (Judgment of the Court). This court docketed appellant's case on 10 March 2025. (Referral and Designation of Counsel).

3. Appellant's electronic record of trial is 2502 pages long, which includes 780 transcript pages.

4. Appellant is in confinement and concurs with this request for delay.

5. Good cause exists for this extension. Undersigned counsel currently is assigned seven cases at this Court. Counsel as branch chief is supervising three other counsels with a total case load of 40 cases pending this court. The Defense Appellate Division is currently operating at roughly 66% manning and the with the enlargement of jurisdiction (Art. 66(b)(1)) counsel are taking longer to complete reviews of cases. Within the last thirty days, counsel has also filed a motion to withdraw from appellate review (U.S. v. *Wasson*, 20250123).

6. Consistent with Army Reg. 27-26, Rules of Professional Conduct for Lawyers, undersigned request additional time to ensure that all due diligence has been done to adequately review, investigate, research, and draft matters on behalf of appellant, as well as fulfill counsel's ethical obligation to represent his interests.

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

PANEL NO. 2

MOTION FOR
EXTENSION (3)

GRANTED: _____

DENIED: _____

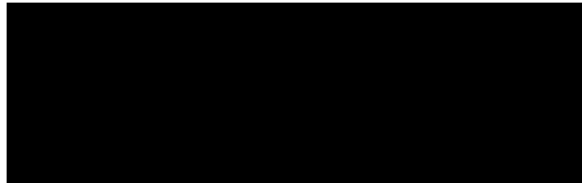
DATE: _____



Beau O. Watkins
Major, Judge Advocate
Branch Chief
Defense Appellate Division

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically submitted to Army Court and Government Appellate Division on September 2, 2025.



MICHELLE L.W. Surratt
Paralegal Specialist
Defense Appellate Division

