IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES, Appellee	**MOTION FOR EXTENSION OF TIME (2)**
v.	Docket No. ARMY 20230419
Sergeant First Class (E-7) **JOSEPH A. SANTIAGO,** United States Army, Appellant	Tried at Fort Campbell, Kentucky, on 14 July and 26 October 2022, 25–28 January, 13–14 July, 17–21 July, and 23 July–2 August 2023, before a general court-martial convened by Commander, Fort Campbell, Colonel Travis Rogers and Colonel J. Harper Cook, Military Judges, 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 23.2 and 24.1 of this honorable court's Rules of Appellate Procedure, and moves for a fifteen-day extension to file appellee's brief in the above-captioned case.

1. The Brief on Behalf of Appellee is currently due on 18 September 2025, and if granted, the extension would result in a new due date of 3 October 2025. The undersigned counsel needs this additional time to complete review, research, and full briefing in this complex contested case.

2. On 1 August 2023, a general court-martial consisting of an officer panel convicted appellant, contrary to his pleas, of one specification of murder, in

violation of Article 118, Uniform Code of Military Justice [UCMJ], and one specification of injuring an unborn child, in violation of Article 119a, UCMJ. (R. at 3147; Statement of Trial Results [STR]). On 2 August 2023, the military judge sentenced appellant to confinement for life with the eligibility for parole, a dishonorable discharge, and reduction to the grade of E-1. (R. at 3235; STR). This court docketed appellant's case on 28 November 2023. (Referral).

3. The record of trial contains well over 6,000 pages, including a trial transcript of 3,235 pages. Appellant, currently in confinement, has asserted two assignments of error, one alleging legal and factual insufficiency for the murder conviction and another alleging a panel instruction error.

4. Over the summer transition at the Government Appellate Division [GAD], the undersigned counsel was one of two remaining captains providing continuity. Duties have included: sponsoring and training incoming attorneys; supervising summer interns; overseeing and editing the intern brief for *U.S. v. SPC* [redacted]; assuming responsibility, and completing the brief, for a complex case with four certified issues before the Court of Appeals for the Armed Forces [CAAF]; and representing GAD for the planning and execution of the upcoming Joint Appellate Advocacy Training.

5. In the next fifteen days, the undersigned counsel has two briefs due to this court, with a total of eight assignments of error. The cases are *United States v.*

SSG [redacted] (trial transcript of 743 pages) and *United States v. SPC* [redacted] (trial transcript of 1824 pages; responding to sealed brief and reviewing substantial sealed materials). Undersigned counsel also anticipates having a reply brief due to the CAAF (*United States v. LTC* [redacted]) within two weeks.

6. Appellant's counsel was contacted and does not object to this request.

WHEREFORE, the United States prays this honorable court grant the instant motion for a fifteen-day extension to file the pertinent Brief on Behalf of Appellee.

[redacted]

NICHOLAS A. SCHAFFER
CPT, JA
Appellate Attorney, Government
Appellate Division

MOTION FOR EXTENSION
OF TIME (2)

Panel No. 2

GRANTED: _____

DENIED: _____

DATE: _____

CERTIFICATE OF FILING AND SERVICE,

I certify that a copy of the foregoing was sent via electronic submission to the Defense Appellate Division at [redacted] [redacted] on this 18th day of August 2025.

[redacted]
VY T. NGUYEN
MAJ, JA
Branch Chief, Government
Appellate Division,