IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES Appellee	**MOTION FOR EXTENSION (3)**
v.	Docket No. ARMY 20240580
Specialist (E-4) **DWAYNE A. OVERTON,** United States Army, Appellant	Tried at Fort Irwin, California, on 19 and 20 November 2024, before a special court-martial appointed by the Commander, National Training Center, Lieutenant Colonel Robert E. Murdough, 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 22 February 2026, to file a Brief on Behalf of Appellant. The Brief on Behalf of Appellant is currently due on 23 January 2026. Pursuant to Rule 24.1(b), the first undersigned counsel asserts:

1. On 19 November 2024, an forum sitting as a general court-martial convicted appellant in accordance with his pleas, of six specifications of domestic violence in violation of Article 128b, one specification of resisting apprehension in violation of Article 87a, and one specification of assault in violation of Article 128. (R. at 160; Charge Sheet). On 20 November 2024, the forum sentenced appellant

to be reduced to the grade of E-2, confined for 10 months, and to be discharged with a bad conduct discharge. (R. at 357).

On 6 December 2024, the convening authority approved the findings and adjudged sentence. (Convening Authority Action). On 26 February 2025, the military judge entered Judgment. (Modified Judgment of the Court). This court docketed appellant's case on 27 July 2025. (Referral and Designation of Counsel).

2. Appellant's record of trial was received in the Defense Appellate Division on 27 July 2025 and is 358 pages long. The current due date is 23 January 2026. Appellant, who is not currently confined, concurs with this request for delay.

3. Good cause exists for this extension. In the ninety days comprising extension, the first undersigned counsel has filed and assisted with the following cases at the Army Court of Criminal Appeals and the Court of Appeals of the Armed Forces: *United States v. Grant*, 20240301; *United States v. Smith*, 20250225; *United States v. Romero*, 20240456; *United States v. Colbert*, 20200259; *United States v. Davenport*, 20250180; *United States v. Davis*, 20250157, *United States v. Robinson*, 20230640, and *United States v. Soto*, 20250043. CPT Hope currently has sixteen cases before this court.

4. Consistent with counsel's state bar rules and 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.

[redacted]

PANEL NO. 4

MOTION FOR EXTENSION (3)

GRANTED: [redacted]

DENIED: _____

DATE: 20 January 2026

Jon C. Hope
Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division

[redacted]

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 filed with the Court and Government Appellate Division on January 15, 2026.



Jon C. Hope
Captain, Judge Advocate
Appellate Defense Counsel
Defense Appellate Division

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Date:	Friday, January 16, 2026 11:46:00 AM
Attachments:	Overton-20240580-Motion for Extension (3)-(260115).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

UNCLASSIFIED

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Please acknowledge receipt. Thank you.

Very Respectfully,

JON HOPE
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