IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS

UNITED STATES Appellee	**MOTION FOR EXTENSION TO FILE REPLY BRIEF**
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 moves this court to grant appellant's Motion for Extension. The undersigned appellate defense counsel requests a 16-day extension of time until 1 August 2026, to file a Reply Brief on Behalf of Appellant. The Reply Brief is currently due on 16 July 2026. The primary reasons for this request are due to first undersigned counsel's competing demands: to consult with appellant, to prepare the reply brief, and to complete supervisory review. Pursuant to Rule 24.1(b), the first undersigned counsel asserts:

1. On 19 November 2024, a military judge sitting as a special 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 military judge 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. (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 Defense Appellate Division filed a brief on behalf of the appellant on 11 March 2026. The Government Appellate Division filed a brief on behalf of the Government on 9 July 2026. The current due date for appellant's reply brief is 16 July 2026. Appellant, who is not currently confined, concurs with this request for delay.

3. The first undersigned counsel is currently assigned to the following cases at the Army Court of Criminal Appeals and the Court of Appeals for the Armed Forces: *United States v. Barclift*, 20250370; *United States v. Bynum*, 20250304; *United States v. Fontenont*, 20240473; *United States v. Mwangi* 20250563, *United*

States v. Stewart, 20250330*, United States v. Malcolm*, 20250242, *United States v. Davis*, 20250157, *United States v. King,* 20250319, *United States v. Snodgrass*, 20250397, *United States v. Tate*, 20240351, *United States v. Graciatapia,* 20250273*, United States v. Hall,* 20250561 *United States v. Garcia,* 20250571 *United States v. Colbert,* 20200259, *United States v. Ferrufino,* 20250081 *United States v. Moses*, 20250407*, United States v. Taylor,* 20240167*, United States v. Dillahunt, 20250545, United States v. Dominguez, 20260110, United States v. Eckhart, 20260145, United States v. Houghton, 20260064, United States v. Smith, 20250441,* and *United States v. Verhulst*, 20250412. The undersigned counsel currently assigned to twenty cases.

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.

PANEL NO. 4

MOTION FOR
EXTENSION (4)

GRANTED: [redacted]*

DENIED: [redacted]

DATE: 15 July 2026

[redacted]

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

Nicole Ulrich

Nicole K. Ulrich
Major, Judge Advocate
Branch Chief
Defense Appellate Division

* Granted for an additional seven (7) days.

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was electronically filed with the Army Court and Government Appellate Division on July 14, 2026.



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