

**IN THE UNITED STATES ARMY COURT OF CRIMINAL APPEALS**

UNITED STATES

**MOTION FOR EXTENSION TO  
FILE REPLY BRIEF ON BEHALF  
OF APPELLANT (1)**

v.

Appellee

Docket No. ARMY 20190663

Specialist (E-4)  
**NICHOLAS R. ST. JEAN**  
United States Army

Appellant

Tried at Fort Sill, Oklahoma, on 10  
May; 15 July; and 24-26 September  
2019 by a general court-martial  
convened by Commander, Fires  
Center of Excellence and Fort Sill  
Lieutenant Colonel Joseph Marcee and  
Colonels Douglas Watkins and Robert  
Shuck, military judges, 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  
15, 23, and 24 of this Court's Internal Rules of Practice and Procedure, and move  
for a 7-day extension until 12 July 2021 to file a Reply Brief on Behalf of  
Appellant and consider motion for oral argument.

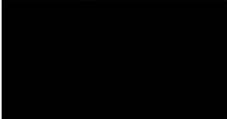
1. Consistent with Army Regulation 27-26, Rules of Professional  
Conduct for Lawyers, the undersigned counsel request additional time  
to ensure that counsel have thoroughly researched and appropriately  
briefed replies to the Brief on Behalf of Appellee in this case in order  
to fulfill counsels' ethical obligation to represent the appellant's  
interest.
2. This was a contested case consisting of 556 pages. The sentence was  
adjudged on 26 September 2019, and it includes confinement for 5  
years and a dishonorable discharge. Appellant is currently in  
confinement and concurs with this request.

3. Appellee filed the Brief on Behalf of Appellee on 28 June 2021. The Reply Brief on Behalf of Appellant is currently due on 5 July 2021.
4. The first undersigned counsel currently has 11 cases pending the Brief on Behalf of Appellant before this Court (including five contested cases), one case pending the government's brief, three pending reply briefs, and six cases pending before the Court of Appeals for the Armed Forces. First undersigned defense counsel also has approved leave from 1-6 July 2021. The second undersigned defense counsel two docketed trials and one docketed Article 39a session between the date of Appellee's filing and the requested extension date, multiple pending cases before this Court, the other service courts of criminal appeals, the Court of Appeals for the Armed Forces, and the U.S. Court of Federal Claims, along with various other administrative matters.

WHEREFORE, appellate defense counsel request this Court grant this motion.

PANEL NO. 2

MOTION FOR EXTENSION TO  
FILE REPLY BRIEF ON BEHALF  
OF APPELLANT (1)

GRANTED: 

DENIED: \_\_\_\_\_

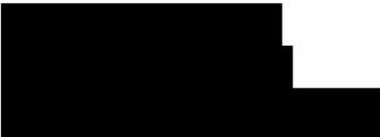
DATE: 1 Jul 2021



THOMAS J. TRAVERS  
CPT, JA  
Appellate Defense Counsel  
Defense Appellate Division



Daniel Conway  
Civilian Appellate Defense Counsel  
Gary Myers, Daniel Conway and  
Assoc.



**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was electronically submitted to Army Court and Government Appellate Division on June 30, 2021.



MELINDA J. JOHNSON  
Paralegal Specialist  
Defense Appellate Division

