

**UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	<b>ACM 36785</b>
<b>Appellee</b>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
<b>Senior Airman (E-4)</b>	)	
<b>ANDREW P. WITT,</b>	)	
<b>USAF,</b>	)	
<b>Appellant</b>	)	<b>Special Panel</b>

In response to an inquiry made to counsel for the appellant and counsel for the United States by the Court regarding submission of the appellant's assignment of errors, counsel for the appellant submitted the Appellant's First Motion for Enlargement of Time and Motion for Leave to File Out of Time on 26 February 2010, requesting this Court grant an enlargement of time for a duration of 60 days, providing the appellant until 23 April 2010 to file his brief.

In the appellant's motion, counsel for the appellant highlights that during a status conference in this matter, then-Senior Judge Heimann of this Court stated that the appellant's case would be treated as a "new" case when it was returned to this Court for further action, making the assignment of errors due on 13 April 2010.

Accordingly, it is by the Court on this 1st day of March 2010,

**ORDERED:**

In keeping with the spirit of the determination made by then-Senior Judge Heimann, the case shall be treated as a "new" case from the date that it was returned to this Court and that the Appellant's Motion for an Enlargement of Time and Motion for Leave to File Out of Time is hereby **DENIED** as being moot.

It is further ordered that in the absence of any enlargement of time granted by this Court, the appellant's assignment of errors shall be submitted to this Court on or before **13 April 2010**.

FOR THE COURT

OFFICIAL



A handwritten signature in blue ink, appearing to read "S. Lucas", is written over a horizontal line.

STEVEN LUCAS, YA-02, DAF  
Clerk of the Court