

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

<b>UNITED STATES,</b>	)	<b>APPELLANT’S MOTION</b>
<i>Appellee,</i>	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (FIRST)</b>
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	24 March 2025

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(1) and (2) of this Court’s Rules of Practice and Procedure, Appellant hereby moves for his first enlargement of time to file Assignments of Error. Appellant requests an enlargement for a period of 60 days, which will end on **6 June 2025**. The record of trial was docketed with this Court on 6 February 2025. From the date of docketing to the present date, 46 days have elapsed. On the date requested, 120 days will have elapsed.

**WHEREFORE,** Appellant requests that this Court grant the requested enlargement of time.

Respectfully submitted,

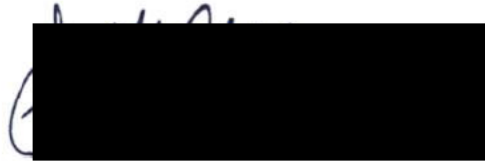


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**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 24 March 2025.



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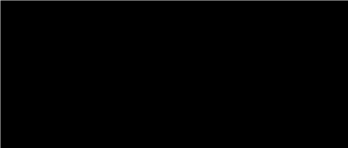
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.	)	
	)	
Senior Airman (E-4)	)	Before Panel No. 1
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	24 March 2025

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations  
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DSN: 612-4809

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Appellate Defense Division on 24 March 2025.



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DSN: 612-4809

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

UNITED STATES	)	No. ACM 40764
<i>Appellee</i>	)	
	)	
v.	)	
	)	<b>ORDER</b>
Joseph T. BUCKLEY	)	
Senior Airman (E-4)	)	
U.S. Air Force	)	
<i>Appellant</i>	)	<b>Panel 1</b>

On 24 March 2025, counsel for Appellant submitted a Motion for Enlargement of Time (First) requesting an additional 60 days to submit Appellant's assignments of error. The Government generally opposed the motion.

The court has considered Appellant's motion, the Government's opposition, case law, and this court's Rules of Practice and Procedure.

Accordingly, it is by the court on this 24th day of March, 2025,

**ORDERED:**

Appellant's Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **6 June 2025**.

Each request for an enlargement of time will be considered on its merits. Appellant's counsel is advised that any subsequent motions for enlargement of time shall include, in addition to matters required under this court's Rules of Practice and Procedure, statements as to: (1) whether Appellant was advised of Appellant's right to a timely appeal, (2) whether Appellant was provided an update of the status of counsel's progress on Appellant's case, (3) whether Appellant was advised of the request for an enlargement of time, and (4) whether Appellant agrees with the request for an enlargement of time.



FOR THE COURT

[Redacted signature area]

OLGA STANFORD, Capt, USAF  
Chief Commissioner



discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

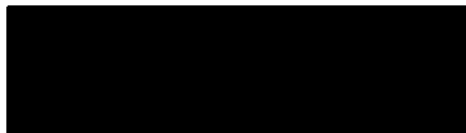
The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,

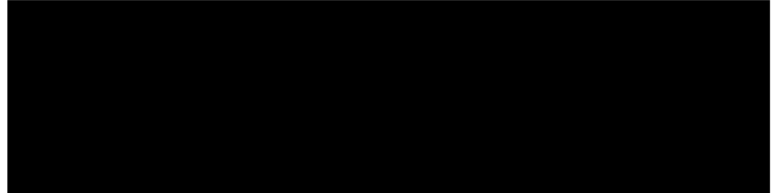


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**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 22 May 2025.



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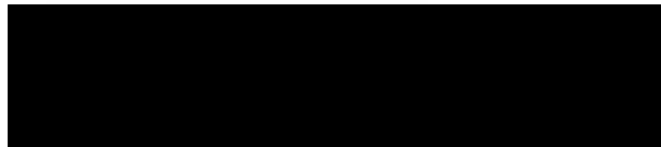
**0IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.	)	
	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	
	)	27 May 2025

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



JOCELYN Q. WRIGHT, Maj, USAF  
Appellate Government Counsel  
Government Trial and Appellate Operations Division  
Military Justice and Discipline Directorate  
United States Air Force  
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Appellate Defense Division on 27 May 2025.



JOCELYN Q. WRIGHT, Maj, USAF  
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Government Trial and Appellate Operations Division  
Military Justice and Discipline Directorate  
United States Air Force  
(240) 612-4800

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

<b>UNITED STATES,</b>	)	<b>APPELLANT’S MOTION</b>
<i>Appellee,</i>	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (THIRD)</b>
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	23 June 2025

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(3) and (4) of this Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time (EOT) to file Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **5 August 2025**. The record of trial was docketed with this Court on 6 February 2025. From the date of docketing to the present date, 137 days have elapsed. On the date requested, 180 days will have elapsed.

On 9 July 2024, at Tinker Air Force Base, Oklahoma, a military judge sitting as a general court-martial found Appellant guilty, consistent with his pleas, of one charge and one specification of child endangerment in violation of Article 119b, Uniform Code of Military Justice (UCMJ). R. at 1, 12, 226-27, 246. On 17 July 2024, consistent with his pleas, a panel of officer and enlisted members found Appellant not guilty of one charge and one specification of involuntary manslaughter in violation of Article 119, UCMJ, and one specification of child endangerment, in violation of Article 119b, UCMJ. R. at 145, 226-27, 1546. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to be confined for 52 days, and to be discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,

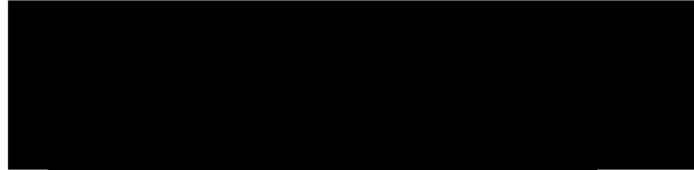


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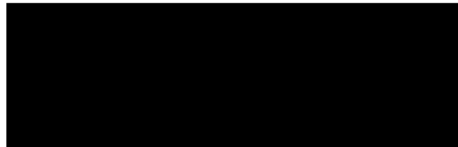
**0IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.	)	
	)	
Senior Airman (E-4)	)	Before Panel No. 1
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	24 June 2025

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



JOCELYN Q. WRIGHT, Maj, USAF  
Appellate Government Counsel  
Government Trial and Appellate Operations Division  
Military Justice and Discipline Directorate  
United States Air Force  
(240) 612-4800

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Appellate Government Counsel  
Government Trial and Appellate Operations Division  
Military Justice and Discipline Directorate  
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**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	<b>APPELLANT’S MOTION</b>
<i>Appellee,</i>	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (FOURTH)</b>
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	21 July 2025

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(3) and (6) of this Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time (EOT) to file Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **4 September 2025**. The record of trial was docketed with this Court on 6 February 2025. From the date of docketing to the present date, 165 days have elapsed. On the date requested, 210 days will have elapsed.

On 9 July 2024, at Tinker Air Force Base, Oklahoma, a military judge sitting as a general court-martial found Appellant guilty, consistent with his pleas, of one charge and one specification of child endangerment in violation of Article 119b, Uniform Code of Military Justice (UCMJ). R. at 1, 12, 226-27, 246. On 17 July 2024, consistent with his pleas, a panel of officer and enlisted members found Appellant not guilty of one charge and one specification of involuntary manslaughter in violation of Article 119, UCMJ, and one specification of child endangerment, in violation of Article 119b, UCMJ. R. at 145, 226-27, 1546. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to be confined for 52 days, and to be discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned 41 cases; 19 cases are pending before this Court (13 cases are pending AOE's), 21 cases are pending before the United States Court of Appeals for the Armed Forces (CAAF) (including one supplement to a petition for grant of review), and one case is pending before the United States Supreme Court (for petition for writ of certiorari). To date, undersigned counsel has five cases prioritized over the present case:

1. *United States v. Tyson*, No. ACM 40617 – The trial transcript is 1,244 pages long and the electronic record of trial is three volumes containing 25 Prosecution Exhibits, 14 Defense Exhibits, one Court Exhibit, and 71 Appellate Exhibits. This appellant is not currently confined. Undersigned has not yet completed her review of the record of trial.

2. *United States v. Kristopik*, No. ACM 40674 - The trial transcript is 1,311 pages long. The electronic record of trial contains 10 Prosecution Exhibits, 20 Defense Exhibits, 118 Appellate Exhibits, and one Court Exhibit. This appellant is not currently confined. Undersigned has not yet completed her review of the record of trial.

3. *United States v. English*, No. ACM 40703 - The record of trial is seven volumes consisting of five admitted Prosecution Exhibits, 15 Defense Exhibits, 32 Appellate Exhibits, and two Court Exhibits. The transcript is 546 pages. This appellant is currently confined. Undersigned has not yet completed her review of the record of trial.

4. *United States v. Fortune*, No. ACM S32800 - The trial transcript is 102 pages long. The electronic record of trial contains four Prosecution Exhibits, seven Defense Exhibits, and six

Appellate Exhibits. This appellant is not currently confined. Undersigned has not yet completed her review of the record of trial.

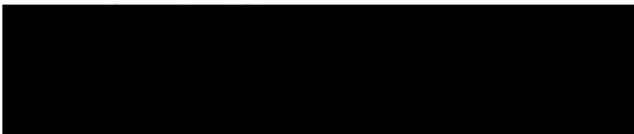
5. *United States v. Culbreth*, No. ACM 40704 - The trial transcript is 103 pages long and the record of trial is electronic, which is one volume of 513 pages. There are two Prosecution Exhibits, nineteen Defense Exhibits, nine Appellate Exhibits, and two Court Exhibits. This appellant is currently confined. Undersigned has not yet completed her review of the record of trial.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.


Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,



SAMANTHA M. CASTANIEN, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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**CERTIFICATE OF FILING AND SERVICE**

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

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.	)	
	)	
Senior Airman (E-4)	)	Before Panel No. 1
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	23 July 2025

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.

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DSN: 612-4804

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

<b>UNITED STATES,</b>	)	<b>APPELLANT’S MOTION</b>
<i>Appellee,</i>	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (FIFTH)</b>
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	17 August 2025

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(3) and (6) of this Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time (EOT) to file Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **4 October 2025**. The record of trial was docketed with this Court on 6 February 2025. From the date of docketing to the present date, 192 days have elapsed. On the date requested, 240 days will have elapsed.

On 9 July 2024, at Tinker Air Force Base, Oklahoma, a military judge sitting as a general court-martial found Appellant guilty, consistent with his pleas, of one charge and one specification of child endangerment in violation of Article 119b, Uniform Code of Military Justice (UCMJ). R. at 1, 12, 226-27, 246. On 17 July 2024, consistent with his pleas, a panel of officer and enlisted members found Appellant not guilty of one charge and one specification of involuntary manslaughter in violation of Article 119, UCMJ, and one specification of child endangerment, in violation of Article 119b, UCMJ. R. at 145, 226-27, 1546. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to be confined for 52 days, and to be discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned 33 cases; 14 cases are pending before this Court (9 cases are pending AOE), 6 cases are pending before the United States Court of Appeals for the Armed Forces (CAAF) (including one supplement to a petition for grant of review), and 13 cases are pending before the Supreme Court of the United States (all pending filing a petition for a writ of certiorari). Of these thirteen cases before the Supreme Court, undersigned counsel anticipates two or three petitions for a writ of certiorari. Not all of these cases deal with 18 U.S.C. § 922 issues and even for the ones that do, some of the cases cannot be joined into a petition together. To date, undersigned counsel has six cases prioritized over the present case:

1. *United States v. Tyson*, No. ACM 40617 – Having completed review of this record, undersigned counsel is currently working the AOE. She has drafted nine of the anticipated eleven issues (the remaining issues require checking the record, scheduled for 18 August 2025). She is also finishing coordination with this appellant on the issues he intends to personally raise. The AOE will be submitted to this Court by the end of August.

2. *United States v. Marin Perez*, USCA Dkt. No. 25-0238/AF – Undersigned counsel submitted the petition for grant of review in this case on 8 August 2025. Undersigned counsel requested additional time to complete the supplement to the petition, which was granted. Undersigned counsel anticipates completing this short one-issue supplement after *Tyson* and then moving directly to the next AOE. Undersigned counsel does not anticipate working on any of the cases before the Supreme Court until she reviews the next case listed below.

3. *United States v. Kristopik*, No. ACM 40674 - The trial transcript is 1,311 pages long. The electronic record of trial contains 10 Prosecution Exhibits, 20 Defense Exhibits, 118 Appellate Exhibits, and one Court Exhibit. This appellant is not currently confined. Undersigned has not yet completed her review of the record of trial. However, civilian appellate defense counsel has completed review and drafted an AOE. This appellant has not waived undersigned counsel's review of the record, and thus undersigned counsel intends to review this record as soon as possible, to include before moving to any of the Supreme Court petitions.

4. *United States v. English*, No. ACM 40703 - The record of trial is seven volumes consisting of five admitted Prosecution Exhibits, 15 Defense Exhibits, 32 Appellate Exhibits, and two Court Exhibits. The transcript is 546 pages. This appellant is currently confined. Undersigned has not yet completed her review of the record of trial.

5. *United States v. Fortune*, No. ACM S32800 - The trial transcript is 102 pages long. The electronic record of trial contains four Prosecution Exhibits, seven Defense Exhibits, and six Appellate Exhibits. This appellant is not currently confined. Undersigned has not yet completed her review of the record of trial.

6. *United States v. Culbreth*, No. ACM 40704 - The trial transcript is 103 pages long and the record of trial is electronic, which is one volume of 513 pages. There are two Prosecution Exhibits, nineteen Defense Exhibits, nine Appellate Exhibits, and two Court Exhibits. This appellant is currently confined. Undersigned has not yet completed her review of the record of trial.

On top of the six priorities listed above, undersigned counsel will also be doing oral argument on 8 October 2025 for *United States v. Braum*, USCA Dkt. No. 25-0046/AF.

Undersigned counsel anticipates being able to draft and format the various Supreme Court petitions while preparing for oral argument.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,



SAMANTHA M. CASTANIEN, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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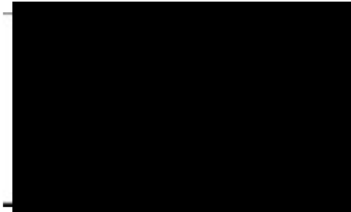
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	Before Panel No. 1
<b>JOSEPH T. BUCKLEY,</b>	)	
United States Air Force,	)	No. ACM 40764
<i>Appellant.</i>	)	
	)	19 August 2025
	)	

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

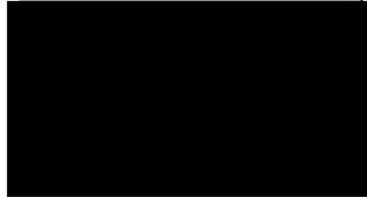
**WHEREFORE,** the United States respectfully requests that this Court deny Appellant's enlargement motion.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations  
1500 W. Perimeter Road, Suite 1190  
Joint Base Andrews, MD  
DSN: 612-4804

**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force  
Appellate Defense Division on 19 August 2025.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations  
1500 W. Perimeter Road, Suite 1190  
Joint Base Andrews, MD  
DSN: 612-4804

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

<b>UNITED STATES,</b>	)	<b>APPELLANT’S MOTION</b>
<i>Appellee,</i>	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (SIXTH)</b>
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	21 September 2025

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(3) and (6) of this Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time (EOT) to file Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **3 November 2025**. The record of trial was docketed with this Court on 6 February 2025. From the date of docketing to the present date, 227 days have elapsed. On the date requested, 270 days will have elapsed.

On 9 July 2024, at Tinker Air Force Base, Oklahoma, a military judge sitting as a general court-martial found Appellant guilty, consistent with his pleas, of one charge and one specification of child endangerment in violation of Article 119b, Uniform Code of Military Justice (UCMJ). R. at 1, 12, 226-27, 246. On 17 July 2024, consistent with his pleas, a panel of officer and enlisted members found Appellant not guilty of one charge and one specification of involuntary manslaughter in violation of Article 119, UCMJ, and one specification of child endangerment, in violation of Article 119b, UCMJ. R. at 145, 226-27, 1546. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to be confined for 52 days, and to be discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned 21 cases; 12 cases are pending before this Court (7 cases are pending AOE's), 6 cases are pending before the United States Court of Appeals for the Armed Forces (CAAF) (two cases are pending action on petitions for reconsideration; one is pending a petition for a grant of review and supplement), and 3 cases are pending before the Supreme Court of the United States (all pending filing an individual petition for a writ of certiorari). Within the next month, two more cases are anticipated to move from pending at the CAAF to pending before the Supreme Court. These clients will also have individualized petitions for writs of certiorari. All anticipated Supreme Court petitions are expected to be filed before the end of this calendar year.

To date, undersigned counsel has five<sup>1</sup> cases prioritized over the present case:

1. *United States v. Kristopik*, No. ACM 40674 - The trial transcript is 1,311 pages long. The electronic record of trial contains 10 Prosecution Exhibits, 20 Defense Exhibits, 118 Appellate Exhibits, and one Court Exhibit. This appellant is not currently confined. Undersigned has not yet completed her review of the record of trial. However, civilian appellate defense counsel has completed review and drafted an AOE. This appellant has not waived undersigned counsel's review of the record, and thus undersigned counsel intends to review this record as soon as possible. This AOE is due 7 October 2025. However, due to the Government filing a petition for

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<sup>1</sup> *United States v. Fortune*, No. ACM S32800, which undersigned counsel has not withdrawn from, just received additional counsel. Thus, this case is no longer prioritized above Appellant's.

reconsideration at the CAAF in *United States v. Folts*, USCA Dkt. No. 25-0043/AF, and a motion for reconsideration at this Court in *United States v. Kim*, No. ACM 24007, 2025 LX 340225 (A.F. Ct. Crim. App. Aug. 15, 2025), undersigned counsel's review of this record has been disrupted and delayed.

2. *United States v. Baumgartner*, Application No. 25A241 (before the Supreme Court) – The CAAF denied review of this case on 20 June 2025. This case is now pending a one-issue petition for a writ of certiorari before the Supreme Court. The petition is due 17 November 2025, but the filing must be completely drafted and formatted at least two weeks beforehand to ensure it is printed by an outside agency on time. Thus, realistically, this petition must be complete by the end of October 2025. This appellant was previously represented by a civilian counsel, but before the Supreme Court, undersigned counsel is his only representation.

3. *United States v. Tyson*, No. ACM 40617 – The Government requested an EOT for its answer to this appellant's AOE. If granted, the Government's answer will be due at the end of October, at which time undersigned counsel anticipates working a reply brief.

4. *United States v. English*, No. ACM 40703 - The record of trial is seven volumes consisting of five admitted Prosecution Exhibits, 15 Defense Exhibits, 32 Appellate Exhibits, and two Court Exhibits. The transcript is 546 pages. This appellant is not currently confined. Undersigned counsel has not yet completed her review of the record of trial.

5. *United States v. Culbreth*, No. ACM 40704 - The trial transcript is 103 pages long and the record of trial is electronic, which is one volume of 513 pages. There are two Prosecution Exhibits, nineteen Defense Exhibits, nine Appellate Exhibits, and two Court Exhibits. This appellant is currently confined. Undersigned has not yet completed her review of the record of trial.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

Respectfully submitted

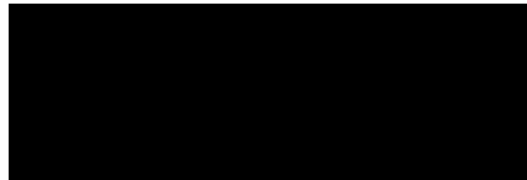


SAMANTHA M. CASTANIEN, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
(240) 612-4770



**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 21 September 2025.



SAMANTHA M. CASTANIEN, Capt, USAF  
Appellate Defense Counsel  
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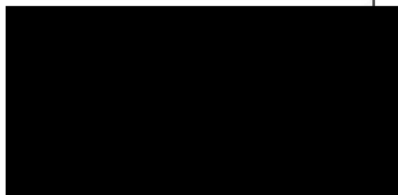
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	Before Panel No. 1
<b>JOSEPH T. BUCKLEY,</b>	)	
United States Air Force,	)	No. ACM 40764
<i>Appellant.</i>	)	
	)	23 September 2025
	)	

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

**WHEREFORE,** the United States respectfully requests that this Court deny Appellant's enlargement motion.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations  
1500 W. Perimeter Road, Suite 1190  
Joint Base Andrews, MD  
DSN: 612-4804

**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 23 September 2025.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations  
1500 W. Perimeter Road, Suite 1190  
Joint Base Andrews, MD  
DSN: 612-4804

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

<b>UNITED STATES,</b>	)	<b>APPELLANT’S MOTION</b>
<i>Appellee,</i>	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (SEVENTH)</b>
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	18 October 2025

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(3) and (6) of this Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time (EOT) to file Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **3 December 2025**. The record of trial was docketed with this Court on 6 February 2025. From the date of docketing to the present date, 254 days have elapsed. On the date requested, 300 days will have elapsed.

On 9 July 2024, at Tinker Air Force Base, Oklahoma, a military judge sitting as a general court-martial found Appellant guilty, consistent with his pleas, of one charge and one specification of child endangerment in violation of Article 119b, Uniform Code of Military Justice (UCMJ). R. at 1, 12, 226-27, 246. On 17 July 2024, consistent with his pleas, a panel of officer and enlisted members found Appellant not guilty of one charge and one specification of involuntary manslaughter in violation of Article 119, UCMJ, and one specification of child endangerment, in violation of Article 119b, UCMJ. R. at 145, 226-27, 1546. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to be confined for 52 days, and to be discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned 21 cases; 8 cases are pending before this Court (7 cases are pending AOE's), 7 cases are pending before the United States Court of Appeals for the Armed Forces (CAAF) (2 cases are pending petitions for a grant of review and their respective supplements; 2 cases are pending client consultation on appealing further), and 6 cases are pending before the Supreme Court of the United States (5 cases are pending filing an individual petition for a writ of certiorari; 1 case is pending client consultation on appealing further). To date, undersigned counsel has **ten** cases prioritized over the present case, but all cases pending before the Supreme Court should be complete before the end of the year:

1. *United States v. Kristopik*, No. ACM 40674 – Undersigned counsel finished her review of this record, which contained a 1,311-page transcript, 10 Prosecution Exhibits, 20 Defense Exhibits, 118 Appellate Exhibits, and one Court Exhibit. This appellant is not currently confined. Undersigned counsel is currently working with civilian counsel to complete the AOE, due to this Court by 24 October 2025.

2. *United States v. Tyson*, No. ACM 40617 – The Government's answer to this appellant's AOE is due on 28 October 2025. Undersigned counsel anticipates working a reply brief upon receiving the Government's answer.

3. *United States v. Baumgartner*, Application No. 25A241 (before the Supreme Court) – The CAAF denied review of this case on 20 June 2025. This case is now pending a one-issue, joint petition for a writ of certiorari before the Supreme Court. This appellant was previously

represented by a civilian counsel, but before the Supreme Court, undersigned counsel is his only representation.<sup>1</sup> While this is a joint petition, undersigned counsel is the lead attorney for drafting the petition. From the date of the decision, this appellant has 90 days to file a petition for a writ of certiorari to the Supreme Court. 28 U.S.C. § 1259(3); Supreme Court Rule 13(1). Due to various other case priorities, to include cases pending before this Court, undersigned counsel requested a 60-day extension. Supreme Court Rule 13(5). The Chief Justice granted an extension on the filing deadline to 17 November 2025. To meet this deadline, undersigned counsel must complete the petition before the end of October 2025 because it takes about two weeks to meet the booklet printing requirements of the Supreme Court. Supreme Court Rules 12, 33.

4. *United States v. Marin Perez*, USCA Dkt. No. 25-0238/AF – On 16 October 2025, the CAAF granted one issue in this case. The grant brief is currently due 6 November 2025.

5. *United States v. Johnson*, Application No. 25A339 (before the Supreme Court) – This appellant’s petition is due to the Supreme Court on 11 December 2025. As with *Baumgartner*, a 60-day extension was already requested. This is a one-issue petition on an issue that was not fully briefed in the case, but developed while the appellant’s case was on appeal. Undersigned counsel is the only counsel working on this petition. To meet the filing deadline at the Supreme Court, this petition must be drafted, reviewed, and formatted before Thanksgiving 2025. Undersigned counsel

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<sup>1</sup> Appellate review “spans a continuum of process” where an appellant has the right to effective representation through the entire period of review, from the end of trial to a decision by the Supreme Court. *See Diaz v. JAG of the Navy*, 59 M.J. 34, 37 (C.A.A.F. 2003) (articulating this right to representation up to the CAAF); 28 U.S.C. § 1259 (codifying an appellant’s right to seek review at the Supreme Court); 10 U.S.C. § 870 (codifying an appellant’s right to have free military appellate defense counsel representation at the Supreme Court). There is no break in counsel at each phase of review; an appellant is entitled to counsel through the entire period. *Diaz*, 59 M.J. at 37.

will be on leave from 25 November to 2 December 2025, necessitating reprioritization of this case due to Supreme Court formatting and printing constraints.

6. *United States v. Dominguez-Garcia*, Application No. 25A340 (before the Supreme Court) – This appellant’s petition is due to the Supreme Court on 19 December 2025. As with *Baumgartner*, a 60-day extension was already requested. This is a joint petition on one issue that has been partially briefed in another case pending before the Supreme Court. However, there are multiple servicemembers’ appeals in this petition, which requires fact-specific analyses and tailoring. Undersigned counsel is lead counsel for this joint petition and shoulders the responsibility of drafting. Most of the formatting is already complete. To meet the filing deadline at the Supreme Court, this petition must be drafted, reviewed, and formatted before Thanksgiving 2025 due to undersigned counsel’s leave from 25 November to 2 December 2025.

7. *United States v. Folts* (pending docketing number before the Supreme Court) – This appellant’s petition is due to the Supreme Court on 23 December 2025. No extension request has occurred in this case, although another petitioner is joining this case. That petitioner requested a 60-day extension for the specific purpose of joining his case with *Folts*. Thus, due the other petitioner’s extension, there will not be an extension request in this case. *See* Supreme Court Rule 13(5) (disfavoring extensions to begin with and not contemplating multiple extensions). Undersigned counsel is one of three attorneys working on this petition, and the anticipated issue has been previously briefed. To meet the filing deadline at the Supreme Court, undersigned counsel’s role in drafting and assisting on this petition must be complete before Thanksgiving 2025.

8. *United States v. Casillas* (pending docketing number before the Supreme Court) – This appellant’s brief is due to the Supreme Court on 25 December 2025. No extension request has

occurred in this case, nor is one anticipated at this time. This is a companion case to *Johnson*, but it is not a joint petition. The same issue will be raised in this appellant's case, but tailored to the facts. Undersigned counsel is the sole counsel for this petition. To meet the filing deadline at the Supreme Court, this petition must be drafted, reviewed, and formatted before 11 December 2025, although undersigned counsel is aiming for earlier, if feasible.

9. *United States v. English*, No. ACM 40703 - The record of trial is seven volumes consisting of five admitted Prosecution Exhibits, 15 Defense Exhibits, 32 Appellate Exhibits, and two Court Exhibits. The transcript is 546 pages. This appellant is not currently confined. Undersigned counsel has not yet completed her review of the record of trial.

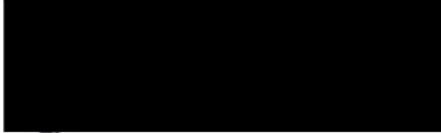
10. *United States v. Culbreth*, No. ACM 40704 - The trial transcript is 103 pages long and the record of trial is electronic, which is one volume of 513 pages. There are two Prosecution Exhibits, nineteen Defense Exhibits, nine Appellate Exhibits, and two Court Exhibits. This appellant is currently confined. Undersigned counsel has not yet completed her review of the record of trial.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,

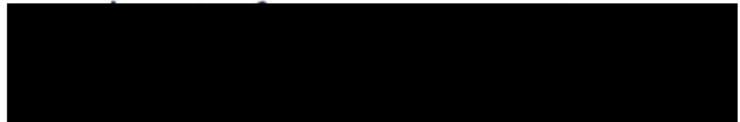


SAMANTHA M. CASTANIEN, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 18 October 2025.



SAMANTHA M. CASTANIEN, Capt, USAF  
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**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	UNITED STATES’
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT’S MOTION FOR
	)	ENLARGEMENT OF TIME
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force.	)	
<i>Appellant</i>	)	20 October 2025

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court’s Rules of Practice and Procedure, the United States hereby enters its opposition to Appellant’s Motion for Enlargement of Time to file an Assignment of Error in this case.

The United States respectfully maintains that short of a death penalty case or other extraordinary circumstances, it should not take any appellant nearly a year to submit an assignment of error to this Court. If Appellant’s new delay request is granted, the defense delay in this case will be 300 days in length. Appellant’s nearly year-long delay practically ensures this Court will not be able to issue a decision that complies with our superior Court’s appellate processing standards. Appellant has already consumed almost two-thirds of the 18-month standard for this Court to issue a decision, which only leaves about 8 months combined for the United States and this Court to perform their separate statutory responsibilities. It appears that Appellant’s counsel has not completed review of the record of trial at this late stage of the appellate process.

**WHEREFORE**, the United States respectfully requests that this Court deny Appellant's enlargement motion.



VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations Division  
Military Justice and Discipline Directorate  
United States Air Force  
(240) 612-4800

**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 20 October 2025.



VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations Division  
Military Justice and Discipline Directorate  
United States Air Force  
(240) 612-4800



discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned 21 cases; 9 cases are pending before this Court (8 cases are pending AOE's), 6 cases are pending before the United States Court of Appeals for the Armed Forces (CAAF) (2 cases are pending petitions for a grant of review and their respective supplements; 1 case is pending grant briefing), and 6 cases are pending before the Supreme Court of the United States (4 cases are pending filing an individual petition for a writ of certiorari; 1 case is pending client consultation on appealing further).

Since Appellant's last request for an EOT, undersigned counsel drafted, edited, reviewed, and attempted to file a ten-issue, partially-sealed, AOE in *United States v. Kristopik*, No. ACM 40674, but the Court rejected the filing. Order, *United States v. Kristopik*, No. ACM 40674 (Nov. 4, 2025). Thus, *Kristopik* is still pending above Appellant's case, as noted below. Additionally, since Appellant's last EOT, undersigned counsel filed the reply brief in *United States v. Tyson*, No. ACM 40617, filed the supplement to the petition for grant of review in *United States v. Torres Gonzalez*, USCA Dkt. No. 26-0018/AF, and filed the petition for a writ of certiorari in *United States v. Baumgartner et al*, Application No. 25A241 (before the Supreme Court).

To date, undersigned counsel has **eight** cases prioritized over the present case:

1. *United States v. Kristopik*, No. ACM 40674 – This Court rejected the ten-issue, 73-page, 22,839-word AOE filed for this case because the motion to exceed the word count and page limit,

identical to other motions filed previously, lacked good cause. Since the rejection, undersigned counsel coordinated with civilian counsel, drafted, and routed for review a motion for reconsideration with suggestion for en banc reconsideration in this case (filed 7 November 2025). This motion went unopposed by the Government and remains pending before this Court. Because this AOE was rejected, the new deadline is 18 November 2025, and, as such, this case remains prioritized over Appellant's.

2. *United States v. Marin Perez*, USCA Dkt. No. 25-0238/AF – On 16 October 2025, the CAAF granted one issue in this case. Undersigned counsel requested an extension, which was granted. The grant brief is now due 24 November 2025.

3. *United States v. Johnson*, Application No. 25A339 (before the Supreme Court) – This appellant's petition is due to the Supreme Court on 11 December 2025. A 60-day extension was already requested. This is a one-issue petition on an issue that was not fully briefed in the case, but developed while the appellant's case was on appeal. Undersigned counsel is the only counsel working on this petition. To meet the filing deadline at the Supreme Court, this petition must be drafted, reviewed, and formatted before Thanksgiving 2025. Undersigned counsel will be on leave from 25 November to 2 December 2025, necessitating reprioritization of this case due to Supreme Court formatting and printing constraints.

4. *United States v. Casillas* (pending docketing number before the Supreme Court) – This appellant's brief is due to the Supreme Court on 25 December 2025. No extension request has occurred in this case, nor is one anticipated at this time. This is a companion case to *Johnson*, and may evolve into a joint petition. Undersigned counsel is the sole counsel for this petition. To meet the filing deadline at the Supreme Court, if *Casillas* joins with *Johnson*, this petition must be drafted, reviewed, and formatted before 24 November 2025.

5. *United States v. Dominguez-Garcia*, Application No. 25A340 (before the Supreme Court) – This appellant’s petition is due to the Supreme Court on 19 December 2025. A 60-day extension was already requested. This is a joint petition on one issue that has been partially briefed in another case pending before the Supreme Court. However, there are multiple servicemembers’ appeals in this petition, which requires fact-specific analyses and tailoring. Undersigned counsel is lead counsel for this joint petition and shoulders the responsibility of drafting. Most of the formatting is already complete. To meet the filing deadline at the Supreme Court, this petition must be drafted, reviewed, and formatted before Thanksgiving 2025 due to undersigned counsel’s leave from 25 November to 2 December 2025.

6. *United States v. Folts* (pending docketing number before the Supreme Court) – This appellant’s petition is due to the Supreme Court on 23 December 2025. No extension request has occurred in this case, although another petitioner is joining this case. That petitioner requested a 60-day extension for the specific purpose of joining his case with *Folts*. Thus, due to the other petitioner’s extension, there will not be an extension request in this case. *See* Supreme Court Rule 13(5) (disfavoring extensions to begin with and not contemplating multiple extensions). Undersigned counsel is one of three attorneys working on this petition, and the anticipated issue has been previously briefed. To meet the filing deadline at the Supreme Court, undersigned counsel’s role in drafting and assisting on this petition must be complete before Thanksgiving 2025.

7. *United States v. English*, No. ACM 40703 - The record of trial is seven volumes consisting of five admitted Prosecution Exhibits, 15 Defense Exhibits, 32 Appellate Exhibits, and two Court Exhibits. The transcript is 546 pages. This appellant is not currently confined. Undersigned counsel has not yet completed her review of the record of trial.

8. *United States v. Culbreth*, No. ACM 40704 - The trial transcript is 103 pages long and the record of trial is electronic, which is one volume of 513 pages. There are two Prosecution Exhibits, nineteen Defense Exhibits, nine Appellate Exhibits, and two Court Exhibits. This appellant is currently confined. Undersigned counsel has not yet completed her review of the record of trial.

For context on the petitions, Supreme Court petitions have very specific formatting and content requirements. Supreme Court Rule 33. Additionally, much like a supplement to a petition for grant of review at the CAAF, a petition for a writ of certiorari is not a carbon copy of what was submitted to the CAAF; the filing must be adjusted, often rewritten, and then painstakingly reformatted to fit the Court's requirements. Additional drafting time is required to meet these constraints, along with additional time for printing the forty required booklets. *See* Supreme Court Rule 12 (dictating the number of copies required). Built into this timeline is also the Division's internal review process.<sup>2</sup> This required process can take anywhere between a few days to over a full week depending on the case and the workload of the Division. Thus, the logistical process of putting together a Supreme Court petition, to include researching and drafting, is about a 30-day process. Undersigned counsel must move from petition to petition to meet the filing deadlines and not delay Appellant's case further.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this

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<sup>2</sup> "Review" is a reference to peer and leadership review, a Division requirement for every substantive filing. Peer review is when another appellate defense counsel reviews the first final draft of the filing and provides feedback and edits. Leadership review is when a member of Division leadership reviews the new version of the final draft and provides feedback and edits.

enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

Respectfully submitted



SAMANTHA M. CASTANIEN, Maj, USAF  
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**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 16 November 2025.



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

<b>UNITED STATES,</b>	)	UNITED STATES’
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT’S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	Before Panel No. 1
<b>JOSEPH T. BUCKLEY,</b>	)	
United States Air Force,	)	No. ACM 40764
<i>Appellant.</i>	)	
	)	17 November 2025
	)	

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court’s Rules of Practice and Procedure, the United States hereby enters its opposition to Appellant’s Motion for Enlargement of Time to file an Assignment of Error in this case.

The United States respectfully maintains that short of a death penalty case or other extraordinary circumstances, it should not take any appellant nearly a year to submit an assignment of error to this Court. If Appellant’s new delay request is granted, the defense delay in this case will be 330 days in length. Appellant’s nearly year-long delay practically ensures this Court will not be able to issue a decision that complies with our superior Court’s appellate processing standards. Appellant has already consumed almost two thirds of the 18 month standard for this Court to issue a decision, which only leaves about 7 months combined for the United States and this Court to perform their separate statutory responsibilities. It appears that Appellant’s counsel has not completed review of the record at this late stage in the process.

**WHEREFORE**, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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Appellate Defense Division on 17 November 2025.



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discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned 20 cases; 9 cases are pending before this Court (6 cases are pending AOE's; 1 case was remanded), 4 cases are pending before the United States Court of Appeals for the Armed Forces (CAAF) (1 case is pending reply briefing), and 7 cases are pending before the Supreme Court of the United States (1 case is pending filing an individual petition for a writ of certiorari).

Since Appellant's last request for an EOT, undersigned counsel edited, reviewed, and re-filed a ten-issue, partially-sealed, AOE in *United States v. Kristopik*, No. ACM 40674, after eliminated approximately 3,000 words from the brief. Additionally, undersigned counsel filed the supplement to the petition for grant of review in *United States v. Ziesche*, USCA Dkt. No. 26-0036/AF, and filed the petitions for a writ of certiorari in *United States v. Baumgartner et al*, No. No. 25-599, *United States v. Casillas et al*, No. No. 25-682, *United States v. Dominguez-Garcia et al*, No. 25-730, and *United States v. Folts et al*, No. 25-727. She reviewed the record in *United States v. English*, No. ACM 40703 (minus sealed materials), and completed an initial review of *United States v. Culbreth*, No. ACM 40704, to be able to advise this appellant on his options.

To date, undersigned counsel has **four** cases prioritized over the present case:

1. *United States v. Marin Perez*, USCA Dkt. No. 25-0238/AF – The Government's answer brief is due on 29 December 2025. Upon receipt, undersigned counsel has seven days to file the

reply brief. No extension requests are anticipated. Oral argument is scheduled for 25 February 2026.

2. *United States v. Kristopik*, No. ACM 40674 – The Government’s answer brief is due on 31 December 2025. Undersigned counsel will likely request additional time to reply due to *Marin Perez*.

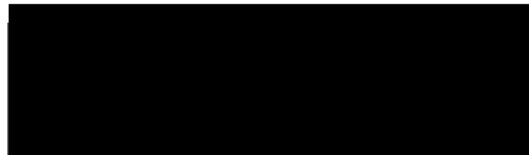
3. *United States v. English*, No. ACM 40703 - The record of trial is seven volumes consisting of five admitted Prosecution Exhibits, 15 Defense Exhibits, 32 Appellate Exhibits, and two Court Exhibits. The transcript is 546 pages. This appellant is not currently confined. Undersigned counsel has reviewed the record (excluding sealed materials) and is conferring with this appellant on his options. This appellant’s case is on EOT (Twelfth), which is the last anticipated EOT.

4. *United States v. Culbreth*, No. ACM 40704 - The trial transcript is 103 pages long and the record of trial is electronic, which is one volume of 513 pages. There are two Prosecution Exhibits, nineteen Defense Exhibits, nine Appellate Exhibits, and two Court Exhibits. This appellant is not currently confined. Undersigned counsel has completed an initial review of the record and is conferring with civilian co-counsel and this appellant on this appellant’s options. This case is currently pending a motion for EOT (Twelfth) in light of *Marin Perez* and *Kristopik* as the current AOE deadline is 6 January 2026. Another EOT motion is not anticipated.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel’s progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.

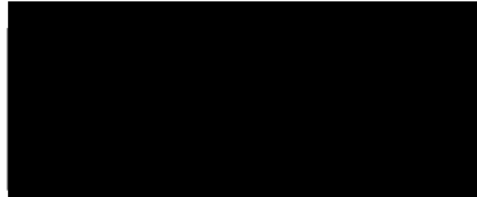


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§ [REDACTED]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 19 December 2025.



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

<b>UNITED STATES,</b>	)	UNITED STATES’
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT’S MOTION FOR
	)	ENLARGEMENT OF TIME
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force.	)	
<i>Appellant</i>	)	23 December 2025

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court’s Rules of Practice and Procedure, the United States hereby enters its opposition to Appellant’s Motion for Enlargement of Time to file an Assignment of Error in this case.

The United States respectfully maintains that short of a death penalty case or other extraordinary circumstances, it should not take any appellant nearly a year to submit an assignment of error to this Court. If Appellant’s new delay request is granted, the defense delay in this case will be 360 days in length. Appellant’s nearly year-long delay practically ensures this Court will not be able to issue a decision that complies with our superior Court’s appellate processing standards. Appellant has already consumed almost two-thirds of the 18-month standard for this Court to issue a decision, which only leaves about 6 months combined for the United States and this Court to perform their separate statutory responsibilities. It appears that Appellant’s counsel has not completed review of the record of trial at this late stage of the appellate process.

**WHEREFORE**, the United States respectfully requests that this Court deny Appellant's enlargement motion.



VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations Division  
Military Justice and Discipline Directorate  
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**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force  
Appellate Defense Division on 23 December 2025.



VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations Division  
Military Justice and Discipline Directorate  
United States Air Force  
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**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b> <i>Appellee,</i>	)	<b>APPELLANT’S MOTION</b>
	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (TENTH)</b>
v.	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	21 January 2026

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(3) and (6) of this Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time (EOT) to file Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **3 March 2026**. The record of trial was docketed with this Court on 6 February 2025. From the date of docketing to the present date, 349 days have elapsed. On the date requested, 390 days will have elapsed. If the Court is inclined to deny this EOT motion, undersigned counsel requests a status conference.

On 9 July 2024, at Tinker Air Force Base, Oklahoma, a military judge sitting as a general court-martial found Appellant guilty, consistent with his pleas, of one charge and one specification of child endangerment in violation of Article 119b, Uniform Code of Military Justice (UCMJ). R. at 1, 12, 226-27, 246. On 17 July 2024, consistent with his pleas, a panel of officer and enlisted members found Appellant not guilty of one charge and one specification of involuntary manslaughter in violation of Article 119, UCMJ, and one specification of child endangerment, in violation of Article 119b, UCMJ. R. at 145, 226-27, 1546. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to be confined for 52 days, and to be discharged with a bad-conduct discharge. R. at 1547, 1636. The convening authority took no action on the findings or the sentence. Convening Authority Decision on Action (Aug. 16, 2024).

The trial transcript is 1,636 pages long. The electronic record of trial contains 13 Prosecution Exhibits, 30 Defense Exhibits, and 65 Appellate Exhibits. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned 16 cases; 10 cases are pending before this Court (6 cases are pending AOE's; 1 case is pending an Article 62, UCMJ, appeal; 1 case was remanded), 3 cases are pending before the United States Court of Appeals for the Armed Forces (CAAF) (1 case is pending reply briefing), and 3 cases are pending before the Supreme Court of the United States (1 case is pending filing an individual petition for a writ of certiorari).

Since Appellant's last request for an EOT, undersigned filed the reply briefs in *United States v. Marin Perez*, USCA Dkt. No. 25-0238/AF, and in *United States v. Kristopik*, No. ACM 40674. She completed her review and consultation with the appellants in *United States v. English*, No. ACM 40703, and *United States v. Culbreth*, No. ACM 40704, following which both appellants withdrew from appellate review.

Appellant's case is undersigned counsel's first priority. However, starting at the beginning of February, she will be working this case while also preparing for oral argument in *United States v. Marin Perez*, USCA Dkt. No. 25-0238/AF, scheduled for 25 February 2026, and while also working *United States v. Galvin*, Misc. Dkt. No. 2026-01. She is assigned to *Galvin* as Article 70, UCMJ, counsel and will be assisting civilian appellate defense counsel after the Government files its brief no later than 3 February 2026.

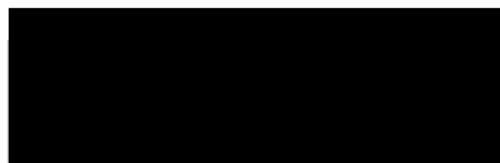
Undersigned counsel has begun review of the record and, as of this filing, is on page 61 of the 1,636-page transcript. She has not reviewed, in detail, the exhibits associated with the transcript up to this point (several motions in limine). As of this EOT and based on her review so far,

undersigned counsel cannot anticipate what issues will be filed. But based on coordination with Appellant, if a brief is filed, undersigned counsel does not anticipate it being on the merits. Currently, the AOE is due 1 February 2026. Even though Appellant's case is undersigned counsel's first priority until 1 February, the remaining eleven days is insufficient to thoroughly review the record, advise Appellant, research and draft any issues, and then route the AOE through peer and leadership review. Should this Court be inclined to deny this EOT motion, undersigned counsel requests a status conference.

Appellant was advised of his right to a timely appeal. Appellant has been provided an update of the status of counsel's progress on his case. Appellant was advised of the request for this enlargement of time. Appellant has provided limited consent to disclose a confidential communication with counsel wherein he consented to the request for this enlargement of time.

Through no fault of Appellant, undersigned counsel has been unable complete her review of Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise him regarding potential errors.

**WHEREFORE**, Appellant requests that this Court grant the requested enlargement of time for good cause shown.



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

<b>UNITED STATES,</b>	)	UNITED STATES'
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	Before Panel No. 1
<b>JOSEPH T. BUCKLEY,</b>	)	
United States Air Force,	)	No. ACM 40764
<i>Appellant.</i>	)	
	)	23 January 2026
	)	

**TO THE HONORABLE, THE JUDGES OF  
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

The United States respectfully maintains that short of a death penalty case or other extraordinary circumstances, it should not take any appellant over a year to submit an assignment of error to this Court. If Appellant's new delay request is granted, the defense delay in this case will be 390 days in length. Appellant's over year-long delay practically ensures this Court will not be able to issue a decision that complies with our superior Court's appellate processing standards. Appellant has already consumed more than two thirds of the 18 month standard for this Court to issue a decision, which only leaves about 8 months combined for the United States and this Court to perform their separate statutory responsibilities. It appears that Appellant's counsel has not completed review of the record of trial at this late stage of the appellate process.

**WHEREFORE**, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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

<b>UNITED STATES,</b>	)	<b>APPELLANT’S MOTION TO</b>
<i>Appellee,</i>	)	<b>WITHDRAW FROM</b>
	)	<b>APPELLATE REVIEW</b>
v.	)	<b>AND ATTACH</b>
	)	
	)	Before Panel No. 1
Senior Airman (E-4)	)	
<b>JOSEPH T. BUCKLEY,</b>	)	No. ACM 40764
United States Air Force,	)	
<i>Appellant.</i>	)	3 February 2026

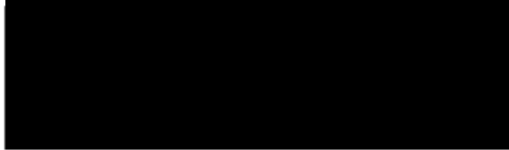
**TO THE HONORABLE, THE JUDGES OF THE  
UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 16 of the Rules of Practice and Procedure of the United States Air Force Court of Criminal Appeals and Rule for Courts-Martial (R.C.M.) 1115, Appellant moves to withdraw his case from appellate review. Appellant has fully consulted with Major Samantha Castanien, his appellate defense counsel, regarding this motion to withdraw. No person has compelled, coerced, or induced Appellant by force, promises of clemency, or otherwise, to withdraw his case from appellate review.

Further, pursuant to Rules 23(b) and 23.3(b), undersigned counsel asks this Court to attach the two-page document appended to this pleading to the record of this proceeding. The appended document, Appellant’s completed DD Form 2330, *Waiver/Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court of Criminal Appeals*, is necessary to comply with R.C.M. 1115(d) and Rule 16.1 of this Court’s Rules of Practice and Procedure.

**WHEREFORE**, Appellant respectfully requests that this Court grant this motion to withdraw from appellate review and attach matters to the record.

Respectfully submitted,

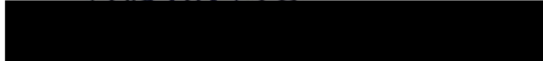


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