

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

<b>UNITED STATES</b>	)	<b>No. ACM 40654</b>
<i>Appellee</i>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
<b>Joshua L. ANDERSON</b>	)	
<b>Staff Sergeant (E-5)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	<b>Panel 1</b>

On 2 October 2024, 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 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 4th day of October, 2024,

**ORDERED:**

Appellant's Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **11 December 2024**.

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



CAROL K. JOYCE  
Clerk of the Court

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

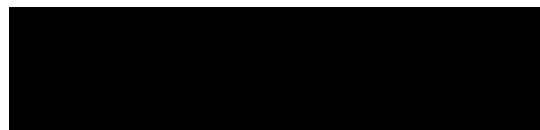
<b>UNITED STATES</b>	)	<b>MOTION FOR ENLARGEMENT OF</b>
<i>Appellee</i>	)	<b>TIME (FIRST)</b>
	)	
v.	)	Before Panel No. 1
	)	
Staff Sergeant (E-5)	)	No. ACM 40654
<b>JOSHUA L. ANDERSON</b>	)	
United States Air Force	)	2 October 2024
<i>Appellant</i>	)	

**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 Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 60 days, which will end on **11 December 2024**. The record of trial was docketed with this Court on 13 August 2024. From the date of docketing to the present date, 50 days have elapsed. On the date requested, 120 days will have elapsed.

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

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: joyclin.webster.1@us.af.mil

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Appellate Government Division on 2 October 2024.

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: joyclin.webster.1@us.af.mil

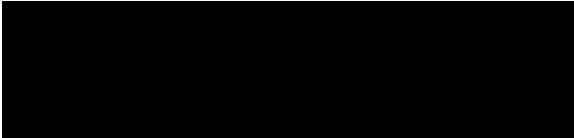
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Staff Sergeant (E-5)	)	ACM 40654
JOSHUA L. ANDERSON, USAF,	)	
<i>Appellant.</i>	)	Panel No.1
	)	

**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.

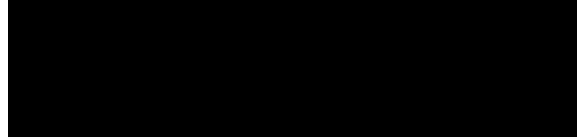
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division  
Military Justice and Discipline  
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 3 October 2024.



MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division  
Military Justice and Discipline  
United States Air Force  
(240) 612-4800

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

<b>UNITED STATES</b>	)	<b>MOTION FOR ENLARGEMENT OF</b>
<i>Appellee</i>	)	<b>TIME (SECOND)</b>
	)	
v.	)	Before Panel No. 1
	)	
Staff Sergeant (E-5)	)	No. ACM 40654
<b>JOSHUA L. ANDERSON</b>	)	
United States Air Force	)	3 December 2024
<i>Appellant</i>	)	

**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 Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **10 January 2025**. The record of trial was docketed with this Court on 13 August 2024. From the date of docketing to the present date, 112 days have elapsed. On the date requested, 150 days will have elapsed.

On 21 November 2023, contrary to his pleas, Appellant was convicted at a general court-martial at Nellis Air Force Base, Nevada, of one charge and one specification of sexual assault in violation of Article 120, Uniform Code of Military Justice (UCMJ). Record of Trial (ROT), Entry of Judgment (EOJ), dated 17 July 2024; Record (R.) at 1183. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, to be confined for 42 months, and to be discharged from the service with a dishonorable discharge. R. at 1229.

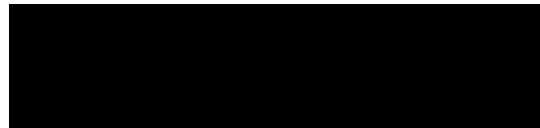
The convening authority took no action on the findings or sentence in this case. ROT Vol. 1, Convening Authority Decision on Action – *United States v. Staff Sergeant Joshua L. Anderson*, dated 14 December 2023.

The record of trial is 12 volumes and consists of 15 Prosecution Exhibits, 14 Defense Exhibits, and 96 Appellate Exhibits; the transcript is 1229 pages. Appellant is currently confined.

Through no fault of Appellant, undersigned counsel has been unable to complete her review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise Appellant regarding potential errors. Appellant was advised on his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was consulted with regard to enlargements of time, and agrees with necessary requests for enlargements of time, including this request.

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

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: joyclin.webster.1@us.af.mil

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 3 December 2024.

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
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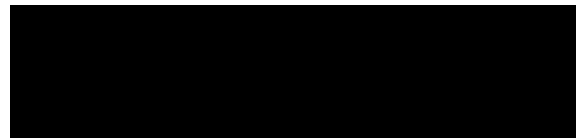
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Staff Sergeant (E-5)	)	ACM 40654
JOSHUA L. ANDERSON, USAF,	)	
<i>Appellant.</i>	)	Panel No.1
	)	

**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.

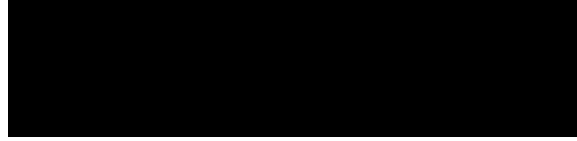
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division  
Military Justice and Discipline  
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 5 December 2024.



MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division  
Military Justice and Discipline  
United States Air Force  
(240) 612-4800

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

<b>UNITED STATES</b>	)	<b>MOTION FOR ENLARGEMENT OF</b>
<i>Appellee</i>	)	<b>TIME (THIRD)</b>
	)	
v.	)	Before Panel No. 1
	)	
Staff Sergeant (E-5)	)	No. ACM 40654
<b>JOSHUA L. ANDERSON</b>	)	
United States Air Force	)	31 December 2024
<i>Appellant</i>	)	

**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 Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **9 February 2025**. The record of trial was docketed with this Court on 13 August 2024. From the date of docketing to the present date, 140 days have elapsed. On the date requested, 180 days will have elapsed.

On 21 November 2023, contrary to his pleas, Appellant was convicted at a general court-martial at Nellis Air Force Base, Nevada, of one charge and one specification of sexual assault in violation of Article 120, Uniform Code of Military Justice (UCMJ). Record of Trial (ROT), Entry of Judgment (EOJ), dated 17 July 2024; Record (R.) at 1183. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, to be confined for 42 months, and to be discharged from the service with a dishonorable discharge. R. at 1229.

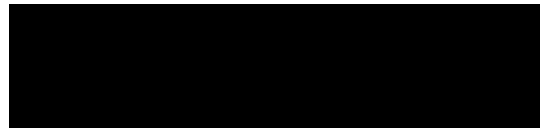
The convening authority took no action on the findings or sentence in this case. ROT Vol. 1, Convening Authority Decision on Action – *United States v. Staff Sergeant Joshua L. Anderson*, dated 14 December 2023.

The record of trial is 12 volumes and consists of 15 Prosecution Exhibits, 14 Defense Exhibits, and 96 Appellate Exhibits; the transcript is 1229 pages. Appellant is currently confined.

Through no fault of Appellant, undersigned counsel has been unable to complete her review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise Appellant regarding potential errors. Appellant was advised on his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was consulted with regard to enlargements of time, and agrees with necessary requests for enlargements of time, including this request.

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

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: joyclin.webster.1@us.af.mil

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 31 December 2024.

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
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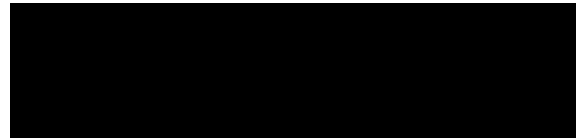
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Staff Sergeant (E-5)	)	ACM 40654
JOSHUA L. ANDERSON, USAF,	)	
<i>Appellant.</i>	)	Panel No.1
	)	

**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.

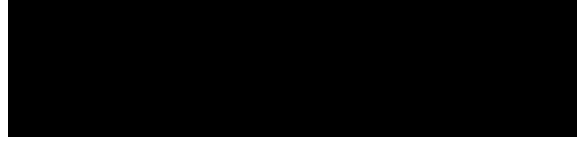
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division  
Military Justice and Discipline  
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 3 January 2025.



MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division  
Military Justice and Discipline  
United States Air Force  
(240) 612-4800

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

<b>UNITED STATES</b>	)	<b>MOTION FOR ENLARGEMENT OF</b>
<i>Appellee</i>	)	<b>TIME (FOURTH)</b>
	)	
v.	)	Before Panel No. 1
	)	
Staff Sergeant (E-5)	)	No. ACM 40654
<b>JOSHUA L. ANDERSON</b>	)	
United States Air Force	)	23 January 2025
<i>Appellant</i>	)	

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

Pursuant to Rule 23.3(m)(3) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **11 March 2025**. The record of trial was docketed with this Court on 13 August 2024. From the date of docketing to the present date, 163 days have elapsed. On the date requested, 210 days will have elapsed.

On 21 November 2023, contrary to his pleas, Appellant was convicted at a general court-martial at Nellis Air Force Base, Nevada, of one charge and one specification of sexual assault in violation of Article 120, Uniform Code of Military Justice (UCMJ). Record of Trial (ROT), Entry of Judgment (EOJ), dated 17 July 2024; Record (R.) at 1183. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, to be confined for 42 months, and to be discharged from the service with a dishonorable discharge. R. at 1229.

The convening authority took no action on the findings or sentence in this case. ROT Vol. 1, Convening Authority Decision on Action – *United States v. Staff Sergeant Joshua L. Anderson*, dated 14 December 2023.

The record of trial is 12 volumes and consists of 15 Prosecution Exhibits, 14 Defense Exhibits, and 96 Appellate Exhibits; the transcript is 1229 pages. Appellant is currently confined.



The undersigned counsel is currently assigned 26 cases; 19 cases are pending before this Court (17 cases are pending AOE's). To date, three cases have priority over the present case.

1. *United States v. Cabrie*, No ACM 40615 – The ROT is 3 volumes and consists of 5 Prosecution Exhibits, 6 Defense Exhibits, and 12 Appellate Exhibits; the transcript is 138 pages. Appellant is not currently confined. Counsel has begun, but not completed her review of the record of trial.

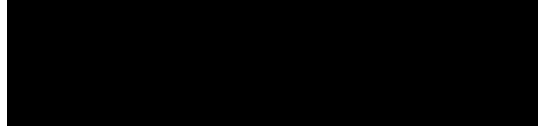
2. *United States v. Capers*, No ACM 40641 – The electronic ROT is 1 volume and consists of 3 Prosecution Exhibits, 5 Defense Exhibits, 14 Appellate Exhibits, and 4 Court Exhibits; the transcript is 405 pages. Counsel has begun, but not completed, her review of the record of trial.

3. *United States v. Griffin*, No ACM 40641 – The ROT is 6 volumes and consists of 24 Prosecution Exhibits, 29 Defense Exhibits, 30 Appellate Exhibits, and 1 Court Exhibits; the transcript is 605 pages. Appellant is currently confined. Counsel has begun, but not completed, her review of the record of trial.

Through no fault of Appellant, undersigned counsel has been unable to complete her review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise Appellant regarding potential errors. Appellant was advised on his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was consulted with regard to enlargements of time, and agrees with necessary requests for enlargements of time, including this request.

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

Respectfully submitted,

A solid black rectangular box used to redact the signature of Joyclin N. Webster.

JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: joyclin.webster.1@us.af.mil

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 23 January 2025.

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
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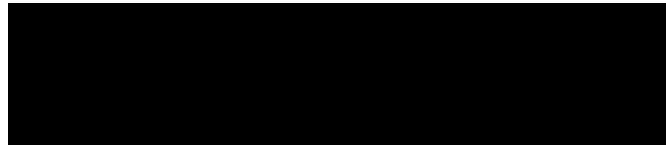
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Staff Sergeant (E-5)	)	ACM 40654
JOSHUA L. ANDERSON, USAF,	)	
<i>Appellant.</i>	)	Panel No.1
	)	

**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.

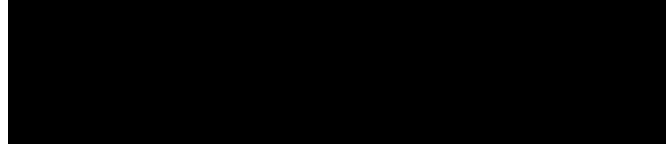
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
Government Trial and 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 27 January 2025.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
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>MOTION FOR ENLARGEMENT OF</b>
<i>Appellee</i>	)	<b>TIME (FIFTH)</b>
	)	
v.	)	Before Panel No. 1
	)	
Staff Sergeant (E-5)	)	No. ACM 40654
<b>JOSHUA L. ANDERSON</b>	)	
United States Air Force	)	28 February 2025
<i>Appellant</i>	)	

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

Pursuant to Rule 23.3(m)(3) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **10 April 2025**. The record of trial was docketed with this Court on 13 August 2024. From the date of docketing to the present date, 199 days have elapsed. On the date requested, 240 days will have elapsed.

On 21 November 2023, contrary to his pleas, Appellant was convicted at a general court-martial at Nellis Air Force Base, Nevada, of one charge and one specification of sexual assault in violation of Article 120, Uniform Code of Military Justice (UCMJ). Record of Trial (ROT), Entry of Judgment (EOJ), dated 17 July 2024; Record (R.) at 1183. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, to be confined for 42 months, and to be discharged from the service with a dishonorable discharge. R. at 1229.

The convening authority took no action on the findings or sentence in this case. ROT Vol. 1, Convening Authority Decision on Action – *United States v. Staff Sergeant Joshua L. Anderson*, dated 14 December 2023.

The record of trial is 12 volumes and consists of 15 Prosecution Exhibits, 14 Defense Exhibits, and 96 Appellate Exhibits; the transcript is 1229 pages. Appellant is currently confined.

The undersigned counsel is currently assigned 23 cases; 20 cases are pending before this Court (17 cases are pending AOE's). To date, three cases have priority over the present case.

1. *United States v. Cabrie*, No ACM 40615 – The ROT is 3 volumes and consists of 5 Prosecution Exhibits, 6 Defense Exhibits, and 12 Appellate Exhibits; the transcript is 138 pages. Appellant is not currently confined. Counsel has begun drafting the AOE's.

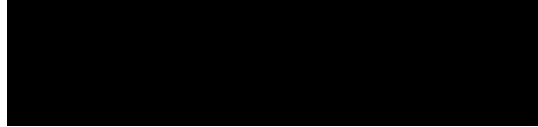
2. *United States v. Capers*, No ACM 40641 – The electronic ROT is 1 volume and consists of 3 Prosecution Exhibits, 5 Defense Exhibits, 14 Appellate Exhibits, and 4 Court Exhibits; the transcript is 405 pages. Counsel has begun, but not completed, her review of the record of trial.

3. *United States v. Griffin*, No ACM 40641 – The ROT is 6 volumes and consists of 24 Prosecution Exhibits, 29 Defense Exhibits, 30 Appellate Exhibits, and 1 Court Exhibits; the transcript is 605 pages. Appellant is currently confined. Counsel has begun, but not completed, her review of the record of trial.

Through no fault of Appellant, undersigned counsel has been unable to complete her review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise Appellant regarding potential errors. Appellant was advised on his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was consulted with regard to enlargements of time, and agrees with necessary requests for enlargements of time, including this request.

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

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: joyclin.webster.1@us.af.mil



**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 28 February 2025.

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
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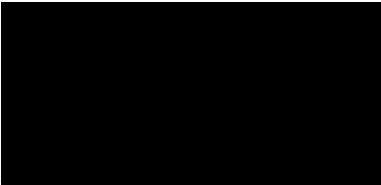
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Staff Sergeant (E-5)	)	No. ACM 40654
JOSHUA L. ANDERSON, USAF,	)	
<i>Appellant.</i>	)	Before Panel No.1
	)	

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

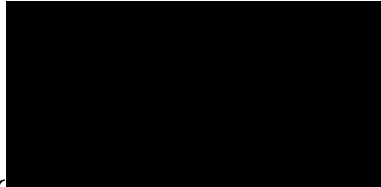
Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

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

  
JC [Redacted] USAF  
Appellate Government Counsel  
Government Trial and 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 4 March 2025.



JG [Redacted] USAF  
Appellate Government Counsel  
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>MOTION FOR ENLARGEMENT OF</b>
<i>Appellee</i>	)	<b>TIME (SIXTH)</b>
	)	
v.	)	Before Panel No. 1
	)	
Staff Sergeant (E-5)	)	No. ACM 40654
<b>JOSHUA L. ANDERSON</b>	)	
United States Air Force	)	1 April 2025
<i>Appellant</i>	)	

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

Pursuant to Rule 23.3(m)(3) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **10 May 2025**. The record of trial was docketed with this Court on 13 August 2024. From the date of docketing to the present date, 231 days have elapsed. On the date requested, 270 days will have elapsed.

On 21 November 2023, contrary to his pleas, Appellant was convicted at a general court-martial at Nellis Air Force Base, Nevada, of one charge and one specification of sexual assault in violation of Article 120, Uniform Code of Military Justice (UCMJ). Record of Trial (ROT), Entry of Judgment (EOJ), dated 17 July 2024; Record (R.) at 1183. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, to be confined for 42 months, and to be discharged from the service with a dishonorable discharge. R. at 1229.

The convening authority took no action on the findings or sentence in this case. ROT Vol. 1, Convening Authority Decision on Action – *United States v. Staff Sergeant Joshua L. Anderson*, dated 14 December 2023.

The record of trial is 12 volumes and consists of 15 Prosecution Exhibits, 14 Defense Exhibits, and 96 Appellate Exhibits; the transcript is 1229 pages. Appellant is currently confined.

The undersigned counsel is currently assigned 21 cases; 18 cases are pending before this Court (17 cases are pending AOE's). To date, three cases have priority over the present case.

1. *United States v. Cabrie*, No ACM 40615 – The ROT is 3 volumes and consists of 5 Prosecution Exhibits, 6 Defense Exhibits, and 12 Appellate Exhibits; the transcript is 138 pages. Appellant is not currently confined. Counsel has begun drafting the AOE's.

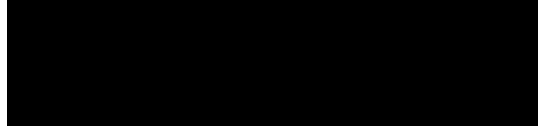
2. *United States v. Capers*, No ACM 40641 – The electronic ROT is 1 volume and consists of 3 Prosecution Exhibits, 5 Defense Exhibits, 14 Appellate Exhibits, and 4 Court Exhibits; the transcript is 405 pages. Counsel has begun, but not completed, her review of the record of trial.

3. *United States v. Griffin*, No ACM 40641 – The ROT is 6 volumes and consists of 24 Prosecution Exhibits, 29 Defense Exhibits, 30 Appellate Exhibits, and 1 Court Exhibits; the transcript is 605 pages. Appellant is currently confined. Counsel has begun, but not completed, her review of the record of trial.

Through no fault of Appellant, undersigned counsel has been unable to complete her review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise Appellant regarding potential errors. Appellant was advised on his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was consulted with regard to enlargements of time, and agrees with necessary requests for enlargements of time, including this request.

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

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
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Office: (240) 612-4770  
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**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 1 April 2025.

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
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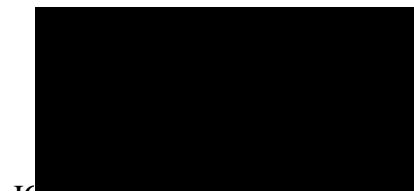
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.	)	
	)	
	)	Before Panel No. 1
Staff Sergeant (E-5)	)	
<b>JOSHUA L. ANDERSON,</b>	)	No. ACM 40654
United States Air Force,	)	
<i>Appellant.</i>	)	
	)	3 April 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



**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 3 April 2025.



JG USAF  
Appellate Government Counsel  
Government Trial and Appellate Operations Division  
Military Justice and Discipline Directorate  
United States Air Force  
(240) 612-4800

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

**UNITED STATES**

*Appellee*

v.

Staff Sergeant (E-5)

**JOSHUA L. ANDERSON**

United States Air Force

*Appellant*

**NOTICE OF APPEARANCE**

Before Panel No. 1


No. ACM 40654

21 April 2025

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

Pursuant to this honorable Court's Internal Rules of Practice and Procedure, Rule 12.1(b), the undersigned hereby enters his appearance in the above-captioned case. I am a member in good standing of the highest court of the state of Georgia. My bar number is 006017. I am admitted before all service courts of appeal as well as the Court of Appeals for the Armed Forces. I have not acted in any manner which might tend to disqualify me in this court-martial.

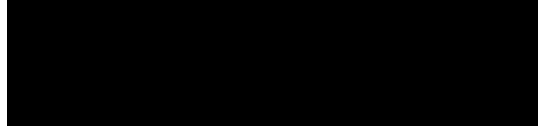
Respectfully submitted,

  
William E. Cassara, Esquire  
918 Hunting Horn Way  
Evans, GA 30809  
706-860-5769  
bill@courtmartial.com  
Bar Number: GA 006017

**CERTIFICATE OF FILING AND SERVICE**

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

Respectfully submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
Appellate Defense Counsel  
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**UNITED STATES AIR FORCE  
COURT OF CRIMINAL APPEALS**

UNITED STATES	)	No. ACM 40654
<i>Appellee</i>	)	
	)	
v.	)	
	)	<b>ORDER</b>
Joshua L. ANDERSON	)	
Staff Sergeant (E-5)	)	
U.S. Air Force	)	
<i>Appellant</i>	)	<b>Panel 1</b>

On 21 April 2025, counsel for Appellant submitted a Consent Motion to Examine Sealed Materials and Transmit to Civilian Counsel. Specifically, Appellant requests counsel for both parties be permitted to examine the following materials sealed by the military judge: Appellate Exhibits (A.E.) V–VIII, XVI–XXIV, XXXIV–XXXVII, XLII–XLIII, XLVI, LV, LXI, LXIII–LXIV; transcript pages 80–116, 285–296; and the closed hearing audio. These materials were viewed by trial counsel and trial defense counsel at trial. Appellant’s counsel further requested these sealed materials be transmitted to Appellant’s civilian appellate defense counsel, Mr. William E. Cassara.

Our review of the record revealed the following discrepancies that we order corrected: (1) A.E. XLVI was ordered sealed by the military judge but is not sealed in the record (instead, it is marked CUI); and (2) A.E. XVII, XXIII, LXIII and LXIV are missing listed attachments. As a result, the court may *sua sponte* order these materials sealed in accordance with Rule for Courts-Martial (R.C.M.) 1113, *Manual for Courts-Martial, United States* (2024 ed.).

The Clerk of the Court will ensure A.E. XLVI is properly sealed. However, we order separately the Government to show cause why we should not remand Appellant’s case for production of the missing attachments to A.E. XVII, XXIII, LXIII and LXIV.

Appellate counsel may examine sealed materials released to counsel at trial “upon a colorable showing . . . that examination is reasonably necessary to a proper fulfillment of the appellate counsel’s responsibilities.” R.C.M. 1113(b)(3)(B)(i).

The court has considered Appellant’s motion, the Government’s consent, and this court’s Rules of Practice and Procedure. The court finds Appellant’s counsel has made a colorable showing that review of the sealed materials is necessary to fulfill counsel’s responsibilities.

Accordingly, it is by the court on this 23d day of April, 2025,

**ORDERED:**

Appellant's Consent Motion to Examine Sealed Materials and Transmit to Civilian Counsel is **GRANTED**.

Appellate defense counsel and appellate government counsel may view **A.E. V–VIII, XVI–XXIV, XXXIV–XXXVII, XLII–XLIII, XLVI, LV, LXI, LXIII–LXIV; transcript pages 80–116, 285–296; and the closed hearing audio.**

To view the sealed materials, counsel will coordinate with the court.

Appellant's military counsel is permitted to scan a hardcopy of these sealed materials; transfer scanned copies of sealed materials to a password-protected or encrypted DVD; email scanned sealed materials using encryption to the email address provided by civilian appellate defense counsel, Mr. Cassara; and transmit files containing sealed materials encrypted or password-protected to Mr. Cassara via DoD SAFE. Appellant's military appellate counsel must label any DVD copies with Appellant's name, ACM number, the date, and the language "CUI – sealed materials under R.C.M. 1113," and place it in a sealed envelope containing the same identifying information. Appellant's military defense counsel is also permitted to send sealed materials to Mr. Cassara via U.S. mail, Federal Express, or by similar secure means of shipment.

Except as outlined in this order, no counsel will photocopy, photograph, or otherwise reproduce this material and will not disclose or make available its contents to any other individual without this court's prior written authorization.

**It is further ordered:**

The Government shall take all steps necessary to ensure copies of **A.E. XLVI** in the possession of any Government office, Appellant, counsel for Appellant (trial and appellate), or any other known copy, be retrieved and destroyed if a paper copy, or destroyed if an electronic copy.\* Appellee will provide this court notice that it has complied with this order **not later than 23 May 2025**.

However, if appellate defense counsel and appellate government counsel possess any of the sealed materials, counsel are authorized to retain copies of same in their possession until completion of this court's Article 66, UCMJ, 10 U.S.C. § 866, review of Appellant's case, to include the period for

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\* The base legal office may maintain a sealed copy in accordance with Department of the Air Force Manual 51-203, *Records of Trial*, ¶ 9.3.6 (21 Apr. 2021).

reconsideration in accordance with JT. CT. CRIM. APP. R. 31. After this period, appellate defense counsel and appellate government counsel shall destroy any retained copies of the sealed materials in their possession.



FOR THE COURT



CAROL K. JOYCE  
Clerk of the Court

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

<b>UNITED STATES,</b>	)	<b>CONSENT MOTION TO EXAMINE</b>
<i>Appellee,</i>	)	<b>SEALED MATERIALS AND</b>
	)	<b>TRANSMIT TO</b>
	)	<b>CIVILIAN COUNSEL</b>
v.	)	
	)	Before Panel No. 1
	)	
Staff Sergeant (E-5),	)	No. ACM 40654
<b>JOSHUA L. ANDERSON,</b>	)	
United States Air Force,	)	21 April 2025
<i>Appellant.</i>	)	

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

Pursuant to Rule for Courts-Martial (R.C.M.) 1113(b)(3)(B) and Rules 3.1 and 23.3(f)(1) of this Court's Rules of Practice and Procedure, undersigned counsel hereby moves this Court to permit appellate counsel for the Appellant and the Government to examine the following materials sealed by the military judge:

1. Appellate Exhibits V-VIII, XVI-XXI, XXXIV-XXXVI, XLII-XLIII, LXI, LXIII - LXIV: Mil. R. Evid 412 materials
2. Appellate Exhibits XXII - XXIV, and XXXVII: Mil. R. Evid 513 materials
3. Appellate Exhibits XLVI and LV: sealed medical records
4. Audio recording of closed sessions.
5. Sealed transcript pages of closed sessions.

In accordance with R.C.M. 1113(b)(3)(B)(i), which requires a colorable showing that examination of these matters is reasonably necessary to appellate counsels' responsibilities, undersigned counsel asserts that review of the referenced exhibits is necessary to conduct a complete review of the record of trial and be able to advocate competently on behalf of Appellant.

Moreover, a review of the entire record of trial is necessary because this Court is empowered by Article 66, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 866, to grant relief based on a review and analysis of “the entire record.” To determine whether the record of trial yields grounds for this Court to grant relief under Article 66, UCMJ, 10 U.S.C. § 866, appellate defense counsel must, therefore, examine “the entire record.”

Although Courts of Criminal Appeals have a broad mandate to review the record unconstrained by an appellant’s assignments of error, that broad mandate does not reduce the importance of adequate representation. As we said in *United States v. Ortiz*, 24 M.J. 323, 325 (C.M.A. 1987), independent review is not the same as competent appellate representation.

*United States v. May*, 47 M.J. 478, 481 (C.A.A.F. 1998).

At trial, the military judge, trial counsel, and defense counsel at trial reviewed items 1 – 3 of the listed materials. The sealed materials here must be reviewed for counsel to provide “competent appellate representation.” *Id.* Viewing these exhibits and transcript pages is reasonably necessary to determine whether Appellant is entitled to relief due to errors concerning the substance during any portion of the proceedings—before, during, or after trial. Therefore, undersigned counsel’s examination of the sealed materials is reasonably necessary to fulfill her responsibilities in this case as counsel cannot perform her duty of representation under Article 70, UCMJ, 10 U.S.C. § 870, or fulfill her duty to provide effective assistance of counsel without first reviewing the complete record of trial.

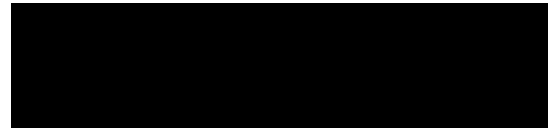
Appellant is represented by undersigned counsel as well as civilian appellate defense counsel, Mr. William Cassara. Mr. Cassara’s office is in Evans, GA and he is unable to travel to view the sealed materials in person. Appellant, therefore, further requests this Court authorize undersigned counsel to photocopy, photograph, reproduce, disclose, or make available to



Mr. Cassara the sealed exhibits, transcript pages, and audio itemized herein so as to facilitate counsel's preparation of Appellant's Assignments of Error. A.F. Ct. Crim. App. R. 23.3(f)(3).

**WHEREFORE**, Appellant respectfully requests this Court grant this motion.

Respectfully Submitted,

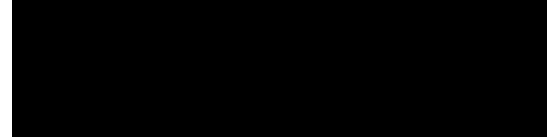


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Respectfully Submitted,



JOYCLIN N. WEBSTER, Capt, USAF  
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Air Force Appellate Defense Division  
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Office: (240) 612-4770  
Email: joyclin.webster.1@us.af.mil

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

<b>UNITED STATES</b>	)	<b>No. ACM 40654</b>
<i>Appellee</i>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
<b>Joshua L. ANDERSON</b>	)	
<b>Staff Sergeant (E-5)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	<b>Panel 1</b>

In response to Appellant’s consent motion to view sealed materials and transmit such materials to civilian defense counsel, on 23 April 2025, this court granted both appellate defense counsel and appellate government counsel permission to examine the following materials sealed by the military judge: Appellate Exhibits (A.E.) V–VIII, XVI–XXIV, XXXIV–XXXVII, XLII–XLIII, XLVI, LV, LXI, LXIII–LXIV; transcript pages 80–116, 285–296; and the closed hearing audio.

Our review of the record revealed the following discrepancies: (1) A.E. XLVI was ordered sealed by the military judge but was not sealed in the record (but instead marked CUI) and corrected by the Clerk of Court; and (2) A.E. XVII, XXIII, LXIII and LXIV are missing listed attachments. None of the missing attachments, as provided below, are included with the exhibits.

**A.E. XVII – Attachments**

- (5) Audio Recording of 99 SFS Interview with EB, Pt 1
- (6) Audio Recording of 99 SFS Interview with EB, Pt 2
- (7) Audio Recording of 99 SFS Interview with EB, Pt 3
- (10) OSI Recorded Video Interview with EB, Pt 1, 20 May 22
- (11) OSI Recorded Video Interview with EB, Pt 2, 20 May 22
- (12) OSI Recorded Video Interview with EB, Pt 1, 6 Jun 22
- (13) OSI Recorded Video Interview with EB, Pt 2, 6 Jun 22
- (14) OSI Recorded Video Interview with EB, Pt 3, 6 Jun 22
- (15) OSI Recorded Video Interview with EB, Pt 4, 6 Jun 22
- (16) Audio Recording of 911 Calls
- (22) OSI Recorded Video Interview with EH, Pt 1, 15 Jun 22

- (23) OSI Recorded Video Interview with EH, Pt 2, 15 Jun 22
- (24) OSI Recorded Video Interview with EH, Pt 3, 15 Jun 22
- (25) OSI Recorded Video Interview with EH, Pt 4, 15 Jun 22
- (26) OSI Recorded Video Interview with EH, Pt 5, 15 Jun 22
- (30) Video Recording of EH in the Shower

**A.E. XXIII - Attachments**

- (3) Audio Recording of 99 SFS Interview with EB, Pt 1
- (4) OSI Recorded Video Interview with EB, Pt 1, 20 May 22
- (5) OSI Recorded Video Interview with EB, Pt 2, 20 May 22
- (6) OSI Recorded Video Interview with EB, Pt 1, 6 Jun 22
- (7) OSI Recorded Video Interview with EB, Pt 2, 6 Jun 22

**A.E. LXII - Attachments**

- (1) *US v Anderson*, Defense M.R.E. 412 Notice, dtd 23 Jun 23
- (2) Charge Sheet (preferral), 20 Mar 23
- (3) Forwarding MFR from SPCMCA to GCMCA, 1 May 23
- (4) Charge Sheet (referral), 1 May 2023
- (5) Audio Recording of 99 SFS Interview with EB, Pt 1, 17 May 22
- (6) Audio Recording of 99 SFS Interview with EB, Pt 2, 17 May 22
- (7) Audio Recording of 99 SFS Interview with EB, Pt 3, 17 May 22
- (8) AF IMT 1168, EB's Written Statement, 18 May 22
- (9) Excerpts from OSI Report of Investigation Re EB, dtd 8 Nov 22
- (10) OSI Recorded Video Interview with EB, Pt 1, 20 May 22
- (11) OSI Recorded Video Interview with EB, Pt 2, 20 May 22
- (12) OSI Recorded Video Interview with EB, Pt 1, 6 Jun 22
- (13) OSI Recorded Video Interview with EB, Pt 2, 6 Jun 22
- (14) OSI Recorded Video Interview with EB, Pt 3, 6 Jun 22
- (15) OSI Recorded Video Interview with EB, Pt 4, 6 Jun 22
- (16) Audio Recording of 911 Calls
- (17) Medical Records of EB, 14 Apr 22
- (18) Text Message between EB and Civ Alex Feurtado, 18 May 21
- (19) Apology Text Message from EB to SSgt Anderson, 22 Jun 22
- (20) Text Message from EB to SSgt Anderson, 16 Jun 23

**A.E. LXIV - Attachments**

- (1) *US v Anderson*, Defense M.R.E. 412 Notice, dtd 23 Jun 23
- (2) Charge Sheet (preferral), 20 March 2023
- (3) Forwarding MFR from SPCMCA to GCMCA, 1 May 23
- (4) Charge Sheet (referral), 1 May 2023
- (21) Excerpt from OSI Report of Investigation Re EH, dtd 8 Nov 22
- (22) OSI Recorded Video Interview with EH, Pt 1, 15 Jun 22
- (23) OSI Recorded Video Interview with EH, Pt 2, 15 Jun 22
- (24) OSI Recorded Video Interview with EH, Pt 3, 15 Jun 22
- (25) OSI Recorded Video Interview with EH, Pt 4, 15 Jun 22
- (26) OSI Recorded Video Interview with EH, Pt 5, 15 Jun 22
- (27) Deleted Facebook Post by EH, dtd 17 May 2022
- (28) Text Messages between EH and Capt MH, undated
- (29) Text Messages Between EH and SSgt A, various dates
- (30) Video Recording of EH in the Shower, dtd 21 Oct 19

Accordingly, it is by the court on this 23d day of April, 2025,

**ORDERED:**

Not later than **13 May 2025**, counsel for the Government shall **SHOW GOOD CAUSE** as to why this court should not remand the record of trial for correction under Rule for Courts-Martial 1112(d), or take other corrective action.



FOR THE COURT



CAROL K. JOYCE  
Clerk of the Court

<b>UNITED STATES,</b>	)	<b>UNITED STATES' ANSWER</b>
<i>Appellee,</i>	)	<b>TO SHOW CAUSE</b>
	)	
v.	)	No. ACM 40654
	)	
Staff Sergeant (E-5)	)	Before Panel No. 1
<b>JOSHUA L. ANDERSON,</b>	)	
United States Air Force	)	7 May 2025
<i>Appellant.</i>	)	

On 21 November 2023, Appellant was convicted, contrary to his pleas, at a general court-martial by a panel of members of one charge and one specification of sexual assault in violation of Article 120, Uniform Code of Military Justice. (R. at 1183).

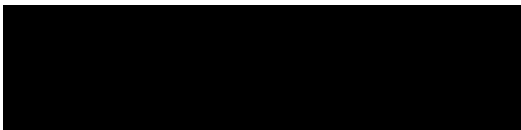
On 23 April 2025, this Court granted Appellant’s consent motion to review sealed materials in this case. (*Consent Motion Order*, dated 23 April 2025). Within the Consent Motion Order, this Court stated that Appellate Exhibits XVII, XXIII, LXIII, and LXIV were missing listed attachments. (*Id.*). However, in the Show Cause Order, this Court listed Appellate Exhibits XVII, XXIII, *LXII*, and LXIV as the exhibits missing certain attachments. (*Show Cause Order*, dated 23 April 2025) (emphasis added).

Appellate Exhibit LXII is an unsealed exhibit with attachments related to trial defense counsel's motion to exclude evidence. (ROT, Vol 6). Appellate Exhibit LXII has seven listed

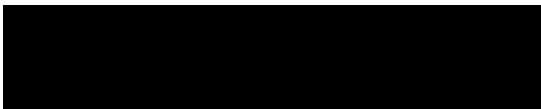
attachments, none of which are the missing attachments listed in the Show Cause Order. (Id.). Appellate Exhibit LXIII is the Defense's motion to admit evidence under MRE 412, which aligns with the missing attachments listed in the Show Cause Order. (*Show Cause Order*, dated 23 April 2025). Accordingly, the Government's response is directed toward the missing attachments from Appellate Exhibits XVII, XXIII, LXIII, and LXIV, and not Appellate Exhibit LXII.

When a record is incomplete, Rule for Court Martial (R.C.M.) 1112(d)(2) allows this Court to return the record of trial to the military judge for correction. To be considered complete, the record of trial must have all appellate exhibits. (R.C.M. 1112(b)(5)). As the listed appellate exhibits are missing from the record of trial, the Government acknowledges that this case should be remanded for correction under R.C.M. 1112(d).

**WHEREFORE**, the United States respectfully requests this Court remand the record for correction.



REGINA HENENLOTTER, Maj, USAF  
Appellate Government Counsel  
Government Trial and Appellate Counsel Division  
Military Justice and Discipline Directorate  
United States Air Force  
(240) 612-4800



MARY ELLEN PAYNE  
Associate Chief  
Government Trial and 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 Appellate Defense Division on 7 May 2025.



REGINA HENENLOTTER, Maj, USAF  
Appellate Government Counsel  
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Military Justice and Discipline Directorate  
United States Air Force  
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