

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	NOTICE OF DIRECT APPEAL
<i>Appellee,</i>	)	PURSUANT TO ARTICLE
	)	66(b)(1)(A), UCMJ
v.)	
)	
)	
Staff Sergeant (E-5),	)	No. ACM SXXXXXX
MICHAEL J. MORGAN,)	
United States Air Force,	)	31 August 2023
<i>Appellant.</i>)	

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

On 2 June 2022, a military judge sitting as a special court-martial at Holloman Air Force Base, New Mexico, convicted Staff Sergeant (SSgt) Michael J. Morgan, consistent with his plea, of one specification of wrongful use of methamphetamine in violation of Article 112a, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 912a (2019). The military judge sentenced SSgt Morgan to a reprimand, reduction to the grade of E-3, forfeiture of \$1,500 pay per month for one month, and 30 days of confinement. Record of Trial (ROT) Vol. 1, Entry of Judgment dated 24 June 2022.

On 6 June 2023, the Government purportedly sent SSgt Morgan the required notice by mail of his right to appeal within 90 days. Pursuant to Article 66(b)(1)(A), UCMJ, SSgt Morgan files his notice of direct appeal with this Court.

Respectfully submitted,

FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604

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 August 2023.

Respectfully submitted,

FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604

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

UNITED STATES	)	No. ACM _____
<i>Appellee</i>)	
)	
v.)	
	)	NOTICE OF
Michael J. MORGAN	)	DOCKETING
Staff Sergeant (E-5))	
U.S. Air Force)	
<i>Appellant</i>)	

On 31 August 2023, this court received a notice of direct appeal from Appellant in the above-styled case, pursuant to Article 66(b)(1)(A), Uniform Code of Military Justice, 10 U.S.C. § 866(b)(1)(A).

As of the date of this notice, the court has not yet received a record of trial in Appellant's case.

Accordingly, it is by the court on this 4th day of October, 2023,

ORDERED:

The case in the above-styled matter is referred to Panel 2.

It is further ordered:

The Government will forward a copy of the record of trial to the court forthwith.



FOR THE COURT

TANICA S. BAGMON
Appellate Court Paralegal

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

UNITED STATES	)	No. ACM _____
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Michael J. MORGAN)	
Staff Sergeant (E-5))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 2

On 31 August 2023, Appellant filed a “Notice of Direct Appeal Pursuant to Article 66(b)(1)(A), UCMJ,” with this court. The above-styled case was docketed on 4 October 2023 and the court ordered the Government to “forward a copy of the record of trial to the court forthwith.” Over 120 days have elapsed and, to date, the record has not been provided to the court.

Accordingly, it is by the court on this 5th day of February, 2024,

ORDERED:

Government appellate counsel will inform the court in writing not later than **29 February 2024** of the status of this case with regard to this court’s 4 October 2023 order.



FOR THE COURT

FLEMING E. KEEFE, Capt, USAF
Deputy Clerk of the Court

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

UNITED STATES	)	No. ACM 22066
<i>Appellee</i>)	
)	
v.)	
	)	NOTICE OF PANEL
Michael J. MORGAN	)	CHANGE
Staff Sergeant (E-5))	
U.S. Air Force)	
<i>Appellant</i>)	

It is by the court on this 12th day of April, 2024,

ORDERED:

That the record of trial in the above-styled matter is withdrawn from Panel 2 and referred to a Special Panel for appellate review. The Special Panel in this matter shall be constituted as follows:

RICHARDSON, NATALIE D., Colonel, Senior Appellate Military Judge
KEARLEY, CYNTHIA T., Colonel, Appellate Military Judge
WARREN, CHARLES G., Lieutenant Colonel, Appellate Military Judge



FOR THE COURT

FLEMING/E. KEEFE, Capt, USAF
Deputy Clerk of the Court

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (FIRST)
)	
v.	)	Before Special Panel
)	
Staff Sergeant (E-5)	)	No. ACM 22066
MICHAEL J. MORGAN,)	
United States Air Force	)	19 April 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), (2), and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for a first enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 60 days, which will end on **28 June 2024**. The record of trial was docketed with this Court on 4 October 2023. Notice of Docketing, dated 4 October 2023. The Government forwarded the record of trial to this Court on 29 February 2024. From the date of docketing to the present date, 198 days have elapsed. On the date requested, 268 days will have elapsed.

On 2 June 2022, a military judge sitting as a special court-martial at Holloman Air Force Base, New Mexico, found Appellant guilty, consistent with his pleas, of one charge and one specification of wrongful use of methamphetamine in violation of Article 112a, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 912a. R. at 16, 48; Record of Trial (ROT) Vol. 1, Entry of Judgment (EOJ), dated 24 June 2022. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-3, to forfeit \$1,500 pay per month for one month, and to be confined for 30 days. R. at 80; EOJ. The convening authority took no action on the findings or the sentence. ROT Vol. 1, Convening Authority Decision on Action – *United States v. SSgt Michael J. Morgan*, dated 4 April 2022.

The record of trial is three volumes consisting of five prosecution exhibits, 22 defense exhibits, and 19 appellate exhibits; the transcript is 80 pages. Appellant is not currently confined. Undersigned counsel has not yet begun reviewing the record of trial in this case.

Counsel is currently representing 27 clients; 18 clients are pending initial AOE's before this Court. Eleven matters currently have priority over this case:

- 1) *United States v. Patterson*, ACM 40426 – The record of trial is 8 volumes consisting of 12 prosecution exhibits, eight defense exhibits, two court exhibits, and 75 appellate exhibits; the transcript is 987 pages. Undersigned counsel has drafted the AOE in this case.
- 2) *United States v. Zhong*, ACM 40441 – The record of trial is four volumes consisting of 14 prosecution exhibits, 11 defense exhibits, 12 appellate exhibits, and one court exhibit; the transcript is 482 pages. Undersigned counsel has reviewed approximately ninety percent of the record of trial in this case.
- 3) *United States v. Kershaw*, ACM 40455 – The record of trial is eight volumes consisting of 11 prosecution exhibits, nine defense exhibits, one court exhibit, and 71 appellate exhibits; the transcript is 703 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
- 4) *United States v. Cadavona*, ACM 40476 – The record of trial is four volumes consisting of 11 prosecution exhibits, two defense exhibits, and 24 appellate exhibits; the transcript is 329 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
- 5) *United States v. Driskill*, ACM 39889 (rem) – The record of trial is 14 volumes consisting of 17 prosecution exhibits, four defense exhibits, and 169 appellate exhibits;

- the transcript is 2062 pages. Undersigned counsel will need to conduct additional review of the record of trial to prepare a brief on remand in this case.
- 6) *United States v. Casillas*, ACM 40499 – The record of trial is 14 volumes consisting of 37 prosecution exhibits, three defense exhibits, one court exhibit, and 170 appellate exhibits; the transcript is 1,957 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
 - 7) *United States v. Hughey*, ACM 40517 – The record of trial is three volumes consisting of five prosecution exhibits and 14 appellate exhibits; the transcript is 101 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
 - 8) *United States v. Rodgers*, ACM 40528 – The record of trial is eight volumes consisting of three prosecution exhibits, one defense exhibit, and 39 appellate exhibits; the transcript is 199 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
 - 9) *United States v. Henderson*, ACM 40419 – The record of trial is five volumes consisting of ten prosecution exhibits, 21 defense exhibits, two court exhibits, and 25 appellate exhibits; the transcript is 937 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
 - 10) *United States v. McDuffie*, ACM 40564 – The record of trial is four volumes consisting of 17 prosecution exhibits and 13 appellate exhibits; the transcript is 343 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
 - 11) *United States v. Bartolome*, ACM 22045 – The record of trial is two volumes consisting of four prosecution exhibits, ten defense exhibits, and 13 appellate exhibits; the

transcript is 467 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.

Through no fault of Appellant, undersigned counsel has been unable to complete his 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.

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

Respectfully submitted,

FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604

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 19 April 2024.

Respectfully submitted,

FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604

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 22066
MICHAEL J. MORGAN, USAF,)	
<i>Appellant.</i>	)	Special Panel
)	

**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

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 22 April 2024.

MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force

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

UNITED STATES	)	No. ACM 22066
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Michael J. MORGAN)	
Staff Sergeant (E-5))	
U.S. Air Force)	
<i>Appellant</i>	)	Special Panel

On 19 April 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 opposes the motion.

In this motion, Appellant’s counsel stated the “record of trial was docketed with this Court on 4 October 2023.” In fact, the court docketed this case on that date without a record of trial, and ordered the Government to “forward a copy of the record of trial to the court forthwith.” Appellant’s counsel did not state in his motion whether he received a summarized-transcript record of trial in this case before the case was docketed with this court, or before the verbatim-transcript record of trial was provided to this court in February 2024.

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 23d day of April, 2024,

ORDERED:

Appellant’s Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **29 June 2024**.*

Counsel should not rely on any subsequent requests for enlargement of time being granted. Each request will be considered on its merits. Counsel may request, and the court may order *sua sponte*, a status conference to facilitate timely processing of this appeal.

* Appellant’s record of trial was received by the court on 1 March 2024, with a suspense date of 30 April 2024 for his assignments of error brief. Therefore, a 60-day enlargement of time would be 29 June 2024 vice 28 June 2024.

Appellant's counsel is advised that any subsequent motions for enlargement of time each 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. Counsel is not required to re-address item (1) in each subsequent motion for enlargement of time.

Appellant's counsel is further advised that any future requests for enlargements of time that, if granted, would expire more than 360 days after docketing, will not be granted absent exceptional circumstances.



FOR THE COURT

OLGA STANFORD, Capt, USAF
Commissioner

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (SECOND)
)	
v.	)	Before Special Panel
)	
Staff Sergeant (E-5)	)	No. ACM 22066
MICHAEL J. MORGAN,)	
United States Air Force	)	21 June 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)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for a second enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **29 July 2024**. The record of trial was docketed with this Court on 4 October 2023. Notice of Docketing, dated 4 October 2023. This Court received the record of trial on 1 March 2024. From the date of docketing to the present date, 261 days have elapsed. On the date requested, 299 days will have elapsed.

On 2 June 2022, a military judge sitting as a special court-martial at Holloman Air Force Base, New Mexico, found Appellant guilty, consistent with his pleas, of one charge and one specification of wrongful use of methamphetamine in violation of Article 112a, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 912a. R. at 16, 48; Record of Trial (ROT) Vol. 1, Entry of Judgment (EOJ), dated 24 June 2022. The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-3, to forfeit \$1,500 pay per month for one month, and to be confined for 30 days. R. at 80; EOJ. The convening authority took no action on the findings or the sentence. ROT Vol. 1, Convening Authority Decision on Action – *United States v. SSgt Michael J. Morgan*, dated 4 April 2022.

The record of trial is three volumes consisting of five prosecution exhibits, 22 defense exhibits, and 19 appellate exhibits; the transcript is 80 pages. Appellant is not currently confined. Undersigned counsel has not yet begun reviewing the record of trial in this case.

Counsel is currently representing 27 clients; 16 clients are pending initial AOE's before this Court.¹ Nine matters currently have priority over this case:

- 1) *United States v. Doroteo*, ACM 40363 – The record of trial is 14 volumes consisting of 19 prosecution exhibits, three defense exhibits, 151 appellate exhibits, and two court exhibits; the transcript is 2,149 pages. Undersigned counsel was recently detailed to this case and is assisting with drafting a supplemental filing based on new post-trial disclosures.
- 2) *United States v. Kershaw*, ACM 40455 – The record of trial is eight volumes consisting of 11 prosecution exhibits, nine defense exhibits, one court exhibit, and 71 appellate exhibits; the transcript is 703 pages. Undersigned counsel has reviewed approximately ninety five percent of the record of trial and begun drafting the AOE in this case.

¹ Since the filing of Appellant's last request for an enlargement of time, counsel prepared and filed a 30-page AOE and a 13-page reply to the Government's answer in *U.S. v. Patterson*, ACM 40426; completed his review of the four-volume record of trial and prepared and filed a 25-page AOE in *U.S. v. Zhong*; prepared and filed a petition for grant of review and the supplement to the petition with the Court of Appeals for the Armed Forces (CAAF) in *U.S. v. Ollison*, ACM S32745, USCA Dkt. No. 24-0150/AF; reviewed approximately ninety five percent of the eight-volume record of trial, including sealed materials, and began drafting the AOE in *U.S. v. Kershaw*, ACM 40455; sat second chair for oral argument before this Court and assisted with drafting a supplemental filing based on new post-trial disclosures in *U.S. v. Doroteo*, ACM 40363; reviewed 382 pages of a verbatim transcript requiring certification; and participated in practice oral argument sessions for two additional cases. Additionally, counsel was out of town on temporary duty (TDY)

, attended the CAAF continuing legal education program on _____, was off _____, and was on leave on _____

- 3) *United States v. Cadavona*, ACM 40476 – The record of trial is four volumes consisting of 11 prosecution exhibits, two defense exhibits, and 24 appellate exhibits; the transcript is 329 pages. Undersigned counsel has begun reviewing the record of trial in this case.
- 4) *United States v. Driskill*, ACM 39889 (rem) – The record of trial is 14 volumes consisting of 17 prosecution exhibits, four defense exhibits, and 169 appellate exhibits; the transcript is 2062 pages. Undersigned counsel will need to conduct additional review of the record of trial to prepare a brief on remand in this case.
- 5) *United States v. Casillas*, ACM 40499 – The record of trial is 14 volumes consisting of 37 prosecution exhibits, three defense exhibits, one court exhibit, and 170 appellate exhibits; the transcript is 1,957 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
- 6) *United States v. Hughey*, ACM 40517 – The record of trial is three volumes consisting of five prosecution exhibits and 14 appellate exhibits; the transcript is 101 pages. Undersigned counsel has begun reviewing the record of trial in this case.
- 7) *United States v. Rodgers*, ACM 40528 – The record of trial is eight volumes consisting of three prosecution exhibits, one defense exhibit, and 39 appellate exhibits; the transcript is 199 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.
- 8) *United States v. Henderson*, ACM 40419 – The record of trial is five volumes consisting of ten prosecution exhibits, 21 defense exhibits, two court exhibits, and 25 appellate exhibits; the transcript is 937 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.

9) *United States v. Bartolome*, ACM 22045 – The record of trial is two volumes consisting of four prosecution exhibits, ten defense exhibits, and 13 appellate exhibits; the transcript is 467 pages. Undersigned counsel has not yet begun reviewing the record of trial in this case.

Through no fault of Appellant, undersigned counsel has been unable to complete his 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 informed of his right to timely appeal, was provided an update on the status of counsel's progress on Appellant's case, was advised of the request for an enlargement of time, and agrees with the request for an enlargement of time.

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

Respectfully submitted,

FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604

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 June 2024.

Respectfully submitted,

FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604

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 22066
MICHAEL J. MORGAN, USAF,)	
<i>Appellant.</i>	)	Special Panel
)	

**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

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 25 June 2024.

MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES, <i>Appellee,</i>	)	MOTION TO WITHDRAW
	)	FROM APPELLATE REVIEW
	)	AND MOTION TO ATTACH
v.)	
	)	Before Panel No. Special
Staff Sergeant (E-5),)	
Michael Morgan,	)	No. ACM 22066
United States Air Force,)	
<i>Appellant.</i>	)	28 July 2024

**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 Lieutenant Colonel Jarett Merk, 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 as Appendix A to the record of this proceeding. The appended document is necessary to comply with R.C.M. 1115(d).

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

Respectfully submitted,

JARETT MERK, Lt Col, USAFR
Appellate Defense Counsel
Air Force Appellate Defense Division

1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604

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 28 July 2024.

Respectfully submitted,

JARETT MERK, Lt Col, USAFR
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604