

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

UNITED STATES	)	No. ACM 40748
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Matthew B. LUMM)	
Senior Master Sergeant (E-8))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 3

On 5 February 2025, counsel for Appellant submitted a Motion for Enlargement of Time (First), requesting an additional 60 days in which to file Appellant’s assignments of error. The Government opposes 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 10th day of February, 2025,

ORDERED:

Appellant’s Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **22 April 2025**.

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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee,</i>	)	TIME (FIRST)
)	
v.	)	Before Panel No. 3
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
Matthew B. Lumm,)	
United States Air Force,	)	5 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)(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 **22 April 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 44 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,

[Redacted signature block]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted contact information]

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 5 February 2025.

Respectfully submitted,

A large black rectangular redaction box covering the signature area.

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

Five horizontal black rectangular redaction bars of varying lengths, covering contact information such as phone numbers and email addresses.

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
)	
Senior Master Sergeant (E-8)	)	ACM 40748
MATTHEW B. LUMM, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

**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.

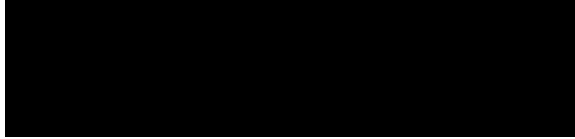
[REDACTED]

MARY ELLEN PAYNE
Associate Chief, Government Trial [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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 7 February 2025.



MARY ELLEN PAYNE
Associate Chief, Government Trial



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee,</i>	)	TIME (SECOND)
)	
v.	)	Before Panel No. 3
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
Matthew B. Lumm,)	
United States Air Force,	)	14 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)(1) and (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 **22 May 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 112 days have elapsed. On the date requested, 150 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).¹ Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 7 October 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the [redacted], to be confined for 9 months, and to be discharged from the service with a bad [redacted] charge. R. at 110.



GRANTED
17 APR 2025

¹ The remaining specification to the charge was withdrawn and dismissed with prejudice.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is 1 volume and consists of 4 Prosecution Exhibits, 14 Defense Exhibits, 7 Appellate Exhibits, and 1 Court Exhibit; the transcript is 111 pages. Appellant is not 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,

[Redacted signature block]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted address block]

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 14 April 2025.

Respectfully submitted,

A large black rectangular redaction box covering the signature of Joyclin N. Webster.

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

Five horizontal black redaction bars of varying lengths, covering contact information such as phone numbers and email addresses.

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
	)	OPPOSITION TO APPELLANT'S
<i>Appellee,</i>	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.)	
	)	Before Panel No. 3
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM,	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	16 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.

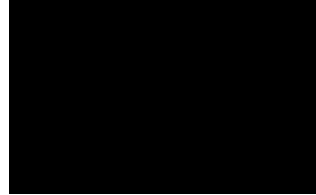


KATE E. LEE, Maj, USAF
Appellate Government Counsel



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 16 April 2025.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee,</i>	)	TIME (THIRD)
)	
v.	)	Before Panel No. 2
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
Matthew B. Lumm,)	
United States Air Force,	)	14 May 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)(1) and (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 **21 June 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 142 days have elapsed. On the date requested, 180 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).¹ Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 7 October 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the grade of E-7, to be confined for 9 months, and to be discharged from the service with a bad conduct discharge. R. at 110.



GRANTED
16 MAY 2025

¹ The remaining specification to the charge was withdrawn and dismissed with prejudice.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is 1 volume and consists of 4 Prosecution Exhibits, 14 Defense Exhibits, 7 Appellate Exhibits, and 1 Court Exhibit; the transcript is 111 pages. Appellant is not 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,

[Redacted signature block]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted address block]

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 14 May 2025.

Respectfully submitted,

[REDACTED]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
	)	OPPOSITION TO APPELLANT'S
<i>Appellee,</i>	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.)	
	)	Before Panel No. 3
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM,	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	15 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.

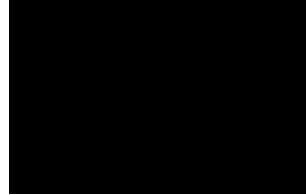


KATE E. LEE, Maj, USAF
Appellate Government Counsel



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 15 May 2025.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF TIME (FOURTH)
<i>Appellee,</i>)	
)	
v.	)	Before Panel No. 2
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
MATTHEW B. LUMM,)	
United States Air Force,	)	13 June 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)(1) and (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 **21 July 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 172 days have elapsed. On the date requested, 210 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).¹ Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 7 October 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the grade of E-4, to be confined for 9 months, and to be discharged from the service with a bad conduct discharge. R. at 110.



GRANTED
18 JUN 2025

¹ The remaining specification to the charge was withdrawn and dismissed with prejudice. R. at 110.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is 1 volume and consists of 4 Prosecution Exhibits, 14 Defense Exhibits, 7 Appellate Exhibits, and 1 Court Exhibit; the transcript is 111 pages. Appellant is not currently confined.

The undersigned counsel is currently assigned 27 cases; 18 cases are pending before this Court (18 cases are pending AOE). To date, nine cases have priority over the present case.

1. *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.

2. *United States v. Hooker*, No. ACM 40646 – The electronic ROT is 1 volume and consists of 4 Prosecution Exhibits, 16 Defense Exhibits, and 32 Appellate Exhibits; the transcript is 683 pages. Appellant is currently confined.

3. *United States v. Roedel*, No. ACM 40662 – The electronic ROT is 1 volume and consists of 4 Prosecution Exhibits, 16 Defense Exhibits, and 32 Appellate Exhibits; the transcript is 683 pages. Appellant is currently confined.

4. *United States v. Coley*, No. ACM 40675 – The electronic record of trial is 1 volume and consists of 13 Prosecution Exhibits, 1 Defense Exhibit, and 17 Appellate Exhibits; the transcript is 124 pages. Appellant is currently confined.

5. *United States v. Nesbitt*, No. ACM 40679 - The electronic ROT is 6 volumes and consists of 6 Prosecution Exhibits, 0 Defense Exhibits, 65 Appellate Exhibits, and 2 Court Exhibits; the transcript is 373 pages. Appellant is currently confined.

6. *United States v. Osorno*, No. ACM S32792 - The ROT is 2 volumes and consists of 3 Prosecution Exhibits, 4 Defense Exhibits, and 9 Appellate Exhibits; the transcript is 81 pages. Appellant is not currently confined.

7. *United States v. Szabo*, No. ACM 40590 - The ROT is 12 volume and consists of 7 Prosecution Exhibits, 35 Defense Exhibits, and 121 Appellate Exhibits; the transcript is 1495 pages. Appellant is not currently confined.

8. *United States v. Hughes*, No. ACM 24066 - The electronic ROT is 1 volume and consists of 6 Prosecution Exhibits, 8 Defense Exhibits, and 12 Appellate Exhibits; the transcript is 172 pages. Appellant is not currently confined.

9. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is 5 volumes and consists of 11 Prosecution Exhibits, 3 Defense Exhibits, and 16 Appellate Exhibits; the transcript is 187 pages. Appellant is not 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,

[Redacted signature block]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted address block]

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 13 June 2025.

Respectfully submitted,

[REDACTED]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

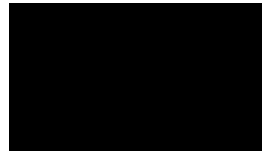
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	17 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.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



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 17 June 2025.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
	)	TIME (FIFTH)
)	
v.	)	Before Panel No. 2
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
MATTHEW B. LUMM,)	
United States Air Force,	)	12 July 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)(1) and (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 **20 August 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 201 days have elapsed. On the date requested, 240 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).¹ Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 7 October 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the



to be confined for 9 months, and to be discharged from the service with a bad
rge. R. at 110.

GRANTED

15 JULY 2025

¹ The remaining specification to the charge was withdrawn and dismissed with prejudice. R. at 110.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is 1 volume and consists of 4 Prosecution Exhibits, 14 Defense Exhibits, 7 Appellate Exhibits, and 1 Court Exhibit; the transcript is 111 pages. Appellant is not currently confined.

The undersigned military counsel is currently assigned 29 cases; 24 cases are pending before this Court (20 cases are pending AOE). To date, eight cases have priority over the present case.

1. *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 is finalizing the AOE.

2. *United States v. Roedel*, No. ACM 40662 – The electronic ROT is 1 volume and consists of 4 Prosecution Exhibits, 16 Defense Exhibits, and 32 Appellate Exhibits; the transcript is 683 pages. Appellant is currently confined.

3. *United States v. Coley*, No. ACM 40675 – The electronic record of trial is 1 volume and consists of 13 Prosecution Exhibits, 1 Defense Exhibit, and 17 Appellate Exhibits; the transcript is 124 pages. Appellant is currently confined.

4. *United States v. Nesbitt*, No. ACM 40679 - The electronic ROT is 6 volumes and consists of 6 Prosecution Exhibits, 0 Defense Exhibits, 65 Appellate Exhibits, and 2 Court Exhibits; the transcript is 373 pages. Appellant is currently confined.

5. *United States v. Osorno*, No. ACM S32792 - The ROT is 2 volumes and consists of 3 Prosecution Exhibits, 4 Defense Exhibits, and 9 Appellate Exhibits; the transcript is 81 pages. Appellant is not currently confined.

6. *United States v. Szabo*, No. ACM 40590 - The ROT is 12 volume and consists of 7 Prosecution Exhibits, 35 Defense Exhibits, and 121 Appellate Exhibits; the transcript is 1495 pages. Appellant is not currently confined.

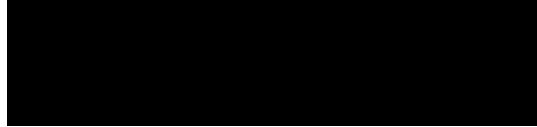
7. *United States v. Hughes*, No. ACM 24066 - The electronic ROT is 1 volume and consists of 6 Prosecution Exhibits, 8 Defense Exhibits, and 12 Appellate Exhibits; the transcript is 172 pages. Appellant is not currently confined.

8. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is 5 volumes and consists of 11 Prosecution Exhibits, 3 Defense Exhibits, and 16 Appellate Exhibits; the transcript is 187 pages. Appellant is not 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,

A large black rectangular redaction box covering the signature of Joyclin N. Webster.

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

A large black rectangular redaction box covering the address and contact information of Joyclin N. Webster.

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 12 July 2025.

Respectfully submitted,

A large black rectangular redaction box covering the signature of Joyclin N. Webster.

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

A large black rectangular redaction box covering the contact information, including phone and email addresses.

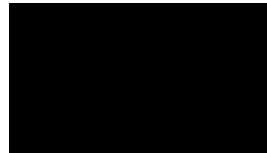
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	14 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.

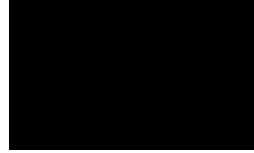


KATE E. LEE, Maj, USAF
Appellate Government Counsel



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 14 July 2025.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is 1 volume and consists of 4 Prosecution Exhibits, 14 Defense Exhibits, 7 Appellate Exhibits, and 1 Court Exhibit; the transcript is 111 pages. Counsel has not reviewed the ROT in this case. Appellant is not currently confined.

The undersigned military counsel is currently assigned 29 cases; 21 cases are pending before this Court (16 cases are pending AOE). The undersigned counsel is currently assigned 27 cases; 18 cases are pending before this Court (18 cases are pending AOE). To date, one case before the Court of Appeals for the Armed Forces take priority over this case: *United States v. Menard*. The Court of Appeals for the Armed Forces has ordered the brief be filed no later than 18 August 25.

To date, six cases have priority over the present case.

1. *United States v. Roedel*, No. ACM 40662 – The electronic ROT is 1 volume and consists of 4 Prosecution Exhibits, 16 Defense Exhibits, and 32 Appellate Exhibits; the transcript is 65 pages. Appellant is currently confined.

2. *United States v. Coley*, No. ACM 40675 – The electronic record of trial is 1 volume and consists of 13 Prosecution Exhibits, 1 Defense Exhibit, and 17 Appellate Exhibits; the transcript is 124 pages. Appellant is currently confined.

3. *United States v. Nesbitt*, No. ACM 40679 - The electronic ROT is 6 volumes and consists of 6 Prosecution Exhibits, 0 Defense Exhibits, 65 Appellate Exhibits, and 2 Court Exhibits; the transcript is 373 pages. Appellant is currently confined.

4. *United States v. Szabo*, No. ACM 40590 - The ROT is 12 volume and consists of 7 Prosecution Exhibits, 35 Defense Exhibits, and 121 Appellate Exhibits; the transcript is 1495 pages. Appellant is not currently confined.

5. *United States v. Hughes*, No. ACM 24066 - The electronic ROT is 1 volume and consists of 6 Prosecution Exhibits, 8 Defense Exhibits, and 12 Appellate Exhibits; the transcript is 172 pages. Appellant is not currently confined.

6. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is 5 volumes and consists of 11 Prosecution Exhibits, 3 Defense Exhibits, and 16 Appellate Exhibits; the transcript is 187 pages. Appellant is not 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,

[Redacted signature block]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted address block]

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 8 August 2025.

Respectfully submitted,

[Redacted signature block]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted contact information]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
	)	Before Panel No. 3
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	11 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.

[REDACTED]

VANESSA BAIROS, Maj, USAF
Appellate Government Counsel

[REDACTED]

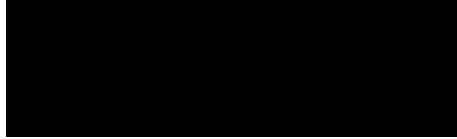
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[REDACTED]

[REDACTED]

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 11 August 2025.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF TIME (SEVENTH)
<i>Appellee,</i>)	
)	
v.	)	Before Panel No. 3
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
MATTHEW B. LUMM,)	
United States Air Force,	)	9 September 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)(1) and (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 **19 October 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 260 days have elapsed. On the date requested, 300 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).¹ Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 7 October 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the grade of E-1, to be confined for 9 months’, and to be discharged from the service with a bad conduct discharge. R. at 110.

¹ The remaining specification to the charge was withdrawn and dismissed with prejudice. R. at 110.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is 1 volume and consists of 4 Prosecution Exhibits, 14 Defense Exhibits, 7 Appellate Exhibits, and 1 Court Exhibit; the transcript is 111 pages. Counsel has not reviewed the ROT in this case. Appellant is not currently confined.

The undersigned military counsel is currently assigned twenty-nine cases; twenty-one cases are pending before this Court (sixteen cases are pending AOE). To date, four cases have priority over the present case.

1. *United States v. Coley*, No. ACM 40675 – The electronic record of trial is 1 volume and consists of 13 Prosecution Exhibits, 1 Defense Exhibit, and 17 Appellate Exhibits; the transcript is 124 pages. Appellant is currently confined. Absent from the sealed exhibit, counsel has reviewed the entire ROT.

2. *United States v. Nesbitt*, No. ACM 40679 - The electronic ROT is 6 volumes and consists of 6 Prosecution Exhibits, 0 Defense Exhibits, 65 Appellate Exhibits, and 2 Court Exhibits; the transcript is 373 pages. Appellant is currently confined.

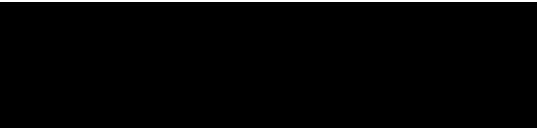
3. *United States v. Szabo*, No. ACM 40590 - The ROT is 12 volume and consists of 7 Prosecution Exhibits, 35 Defense Exhibits, and 121 Appellate Exhibits; the transcript is 1495 pages. Appellant is not currently confined.

4. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is 5 volumes and consists of 11 Prosecution Exhibits, 3 Defense Exhibits, and 16 Appellate Exhibits; the transcript is 187 pages. Appellant is not 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



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 9 September 2025.

Respectfully submitted,

[REDACTED]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES’
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT’S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
	)	Before Panel No. 3
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	10 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 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.

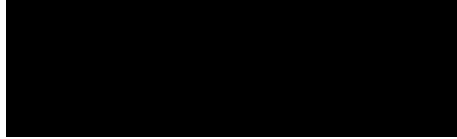


VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



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 10 September 2025.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF TIME (EIGHTH)
<i>Appellee,</i>)	
)	
v.	)	Before Panel No. 3
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
MATTHEW B. LUMM,)	
United States Air Force,	)	9 October 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)(1) and (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 **18 November 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 290 days have elapsed. On the date requested, 330 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).¹ Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 7 October 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the grade of E-1, confined for nine months, and a bad conduct discharge. R. at 110.



_____ remaining specification of the charge was withdrawn and dismissed with prejudice. R. at

GRANTED
20 OCT 2025

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is 1 volume and consists of 4 Prosecution Exhibits, 14 Defense Exhibits, 7 Appellate Exhibits, and 1 Court Exhibit; the transcript is 111 pages. Counsel has not reviewed the ROT in this case.² Appellant is not currently confined.

The undersigned military counsel is currently assigned twenty-nine cases; twenty-two cases are pending before this Court (sixteen cases are pending AOE). To date, four cases have priority over the present case.

1. *United States v. Nesbitt*, No. ACM 40679 - The electronic ROT is 6 volumes and consists of 6 Prosecution Exhibits, 0 Defense Exhibits, 65 Appellate Exhibits, and 2 Court Exhibits; the transcript is 373 pages. Appellant is currently confined.

2. *United States v. Szabo*, No. ACM 40590 - The ROT is 12 volume and consists of 7 Prosecution Exhibits, 35 Defense Exhibits, and 121 Appellate Exhibits; the transcript is 1495 pages. Appellant is not currently confined.

3. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is 5 volumes and consists of 11 Prosecution Exhibits, 3 Defense Exhibits, and 16 Appellate Exhibits; the transcript is 187 pages. Appellant is not currently confined.

² Since the filing of Appellant's last motion for an enlargement of time, before the Court of Appeals for the Armed Forces counsel filed a reply brief in *United States v. Menard*, Dkt. No. 25-0173. Additionally, counsel has filed supplements and petitions in both *United States v. Tompkins*, Dkt. No. 25-0278 and *United States v. Capers*, Dkt. No. 25-0264. Before this court, counsel has filed a reply in *United States v. Anderson*, ACM 40752; and filed briefs in *United States v. Allen*, ACM 40809, and *United States v. Coley*, ACM 40675.

4. *United States v. Kelly*, No. ACM 40710 - The electronic ROT is 1 volume and consists of 6 Prosecution Exhibits, 8 Defense Exhibits, and 12 Appellate Exhibits; the transcript is 172 pages. Appellant is not currently confined. Counsel has not yet reviewed the ROT in this case.

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,

[Redacted signature]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted address lines]

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 9 October 2025.

Respectfully submitted,

[Redacted signature block]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[Redacted contact information]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES’
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT’S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
	)	Before Panel No. 3
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	14 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 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 of trial at this late stage of the appellate process.

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

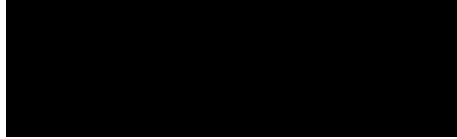


VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



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 14 October 2025.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
	)	TIME (TENTH) OOT¹
)	
v.	)	Before Panel No. 3
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
MATTHEW B. LUMM,)	
United States Air Force,	)	12 November 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)(1) and (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 **18 December 2025**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 324 days have elapsed. On the date requested, 360 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).² Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated September 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the grade of E-1, confined for nine months, and a bad conduct discharge. R. at 110.



GRANTED

17 Nov 2025

¹ Due to an inadvertent clerical error, counsel mistakenly believed that timely filing of this motion was due to occur on 12 November 2025. This oversight was not the result of bad faith and Appellant bears no responsibility for this delay

² The remaining specification of the charge was withdrawn and dismissed with prejudice. R. at 110.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is one volume and consists of four Prosecution Exhibits, fourteen Defense Exhibits, seven Appellate Exhibits, and one Court Exhibit; the transcript is 111 pages. Counsel has not reviewed the ROT in this case.³ Appellant is not currently confined.

The undersigned counsel is currently assigned twenty-six cases; twenty-one cases are pending before this Court (fourteen cases are pending AOE). To date, three cases have priority over the present case.

1. *United States v. Szabo*, No. ACM 40590 - The ROT is twelve volume and consists of seven Prosecution Exhibits, thirty-five Defense Exhibits, and 121 Appellate Exhibits; the transcript is 1495 pages. Appellant is not currently confined. Counsel has not yet reviewed the ROT in this case.

2. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is five volumes and consists of eleven Prosecution Exhibits, three Defense Exhibits, and sixteen Appellate Exhibits; the transcript is 187 pages. Appellant is not currently confined. Counsel has not yet reviewed the ROT in this case.

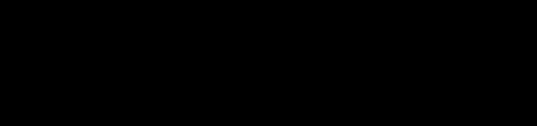
3. *United States v. Kelly*, No. ACM 40710 - The electronic ROT is one volume and consists of six Prosecution Exhibits, eight Defense Exhibits, and twelve Appellate Exhibits; the transcript is 172 pages. Appellant is not currently confined. Counsel has not yet reviewed the ROT in this case.

³ Since the filing of Appellant's last motion for an enlargement of time, counsel has filed reply briefs in *United States v. Griffin*, ACM 40642 and *United States v. Coley*, ACM 40675. Counsel also reviewed and filed a Merits Brief in *United States v. Nesbitt*, ACM 40679.

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



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 12 November 2025.

Respectfully submitted,

A large black rectangular redaction box covering the signature of Joyclin N. Webster.

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

A large black rectangular redaction box covering the contact information of Joyclin N. Webster.

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' OPPOSITION
	)	TO APPELLANT'S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME -
	)	OUT OF TIME
v.)	
	)	Before Panel No. 3
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM,	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	14 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 Out of Time 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.

[REDACTED]

VANESSA BAIROS, Maj, USAF
Appellate Government Counsel

[REDACTED]

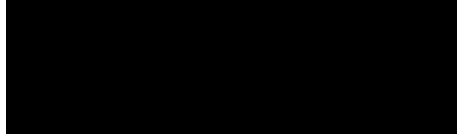
[REDACTED]

[REDACTED]

[REDACTED]

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 14 November 2025.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
	)	TIME (TENTH)¹
)	
v.	)	Before Panel No. 3
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
MATTHEW B. LUMM,)	
United States Air Force,	)	3 December 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)(1) and (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 **17 January 2026**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 345 days have elapsed. On the date requested, 390 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).² Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the grade of E-1, confined for nine months, and a bad conduct discharge. R. at 110.



GRANTED

5 DEC 2025

¹ Due to an inadvertent scrivener's error, counsel mistakenly labeled the previous motion for an enlargement of time, dated 14 November 2025, as the tenth enlargement when it was in fact the ninth.

² The remaining specification of the charge was withdrawn and dismissed with prejudice. R. at 110.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is one volume and consists of four Prosecution Exhibits, fourteen Defense Exhibits, seven Appellate Exhibits, and one Court Exhibit; the transcript is 111 pages. Counsel has not reviewed the ROT in this case. Appellant is not currently confined.

The undersigned counsel is currently assigned twenty cases; ten cases are pending before this Court (nine cases are pending AOE). To date, three cases³ have priority over the present case:

1. *United States v. Szabo*, No. ACM 40590 - The ROT is twelve volume and consists of seven Prosecution Exhibits, thirty-five Defense Exhibits, and 121 Appellate Exhibits; the transcript is 1495 pages. Appellant is not currently confined. Counsel has begun reviewing the ROT in this case.

2. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is five volumes and consists of eleven Prosecution Exhibits, three Defense Exhibits, and sixteen Appellate Exhibits; the transcript is 187 pages. Appellant is not currently confined. Counsel has not yet reviewed the ROT in this case.

3. *United States v. Kelly*, No. ACM 40710 - The electronic ROT is one volume and consists of six Prosecution Exhibits, eight Defense Exhibits, and twelve Appellate Exhibits; the transcript is 172 pages. Appellant is not currently confined. Counsel has not yet reviewed the ROT in this case.

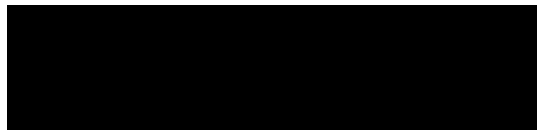
³ Since the filing of Appellant's last motion for an enlargement of time, counsel has filed a reply brief in *United States v. Allen*, ACM 40809.

Good cause exists for this request. The undersigned counsel's current caseload, which includes multiple matters of significant age, requires careful allocation of time and attention. Although she is working diligently to move each case forward as quickly as possible, the demands of older matters must take priority. An enlargement of time in this case will allow counsel to meet these responsibilities without sacrificing the quality of representation owed to Appellant.

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



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 2025.

Respectfully submitted,

A large black rectangular redaction box covering the signature of Joyclin N. Webster.

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

A large black rectangular redaction box covering the contact information of Joyclin N. Webster.

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES’
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT’S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Senior Master Sergeant (E-8)	)	Before Panel No. 3
MATTHEW B. LUMM,)	
United States Air Force,	)	No. ACM 40748
<i>Appellant.</i>)	
	)	5 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 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 5 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.

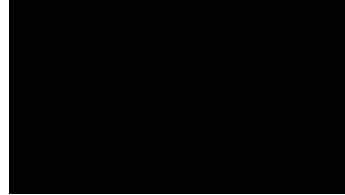


KATE E. LEE, Maj, USAF
Appellate Government Counsel



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 2025.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



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

UNITED STATES	)	No. ACM 40748
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Matthew B. LUMM)	
Senior Master Sergeant (E-8))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 2

On 9 January 2026, counsel for Appellant submitted a Motion for Enlargement of Time (Eleventh) requesting an additional 30 days to submit Appellant’s assignments of error. The Government opposed the motion and noted that “[i]f Appellant’s new delay request is granted, the defense delay in this case will be 410 days in length.”

On 13 January 2026, the court held a status conference to discuss the progress of this case. Appellant was represented by Captain John M. Fredericks; Lieutenant Colonel Allen S. Abrams from the Appellate Defense Division was also present. Major Kate E. Lee represented the Government. This court indicated the main reason for the conference was the lack of information in Appellant’s motion regarding the progress made on Appellant’s case. In response to questions from the court, Captain Fredericks provided additional information, indicating that he had just been detailed to the case and established an attorney-client relationship with his client yesterday. Capt Fredericks indicated he reviewed the entry of judgment but had not reviewed the record of trial. He further indicated that he anticipated requiring another enlargement of time because he had one case of higher priority and was also just notified he would be attending squadron officer school in residence. Appellant’s counsel indicated he would be more specific on his case progress as required per this court’s Rule 23.3(m)(6) in future correspondence with the court. A.F. CT. CRIM. APP. R. 23.3(m)(6). Major Lee did not dispute any representation made by the Defense.

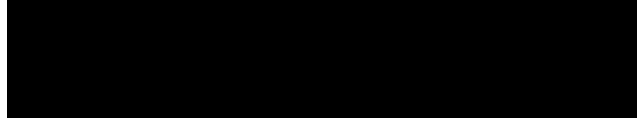
Accordingly, it is by the court on this 14th day of January, 2026,

ORDERED:

Appellant’s Motion for Enlargement of Time (Eleventh) is **GRANTED**. Appellant shall file any assignments of error not later than **16 February 2026**.

It is further ordered:

Appellant's counsel is advised that given the number of enlargements granted thus far, the court will continue to closely examine any further requests for an enlargement of time.



JACOB B. HOEFERKAMP, Capt, USAF
Chief Commissioner

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF TIME (ELEVENTH)¹
<i>Appellee,</i>)	
)	
v.	)	Before Panel No. 2
)	
Senior Master Sergeant (E-8)	)	No. ACM 40748
MATTHEW B. LUMM,)	
United States Air Force,	)	9 January 2026
<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 (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 **16 February 2026**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 382 days have elapsed. On the date requested, 420 days will have elapsed.

On 4 September 2024, consistent to his pleas, Appellant was convicted at a general court-martial consisting of a military judge sitting alone at Scott Air Force Base, Illinois, of one charge with a specification of possessing child pornography in violation of Article 134, Uniform Code of Military Justice (UCMJ).² Electronic Record of Trial (ROT), Entry of Judgment (EOJ), dated 7 October 2024; Record (R.) at 53. Appellant was sentenced to be reprimanded, reduced to the grade of E-1, confined for nine months, and a bad conduct discharge. R. at 110.

¹ Due to an inadvertent scrivener's error, counsel mistakenly labeled the previous motion for an enlargement of time, dated 14 November 2025, as the tenth enlargement when it was in fact the ninth.

² The remaining specification of the charge was withdrawn and dismissed with prejudice. R. at 110.

The convening authority took no action on the findings or sentence in this case. ROT, Convening Authority Decision on Action – *United States v. SMSgt Matthew J. Lumm*, dated 24 September 2024.

The electronic record of trial is one volume and consists of four Prosecution Exhibits, fourteen Defense Exhibits, seven Appellate Exhibits, and one Court Exhibit; the transcript is 111 pages. Counsel has not reviewed the ROT in this case. Appellant is not currently confined.

The undersigned counsel is currently assigned twenty cases; fourteen cases are pending before this Court (six are pending AOE). To date, two cases³ have priority over the present case:

1. *United States v. Lucas*, No. ACM 40702 - The electronic ROT is five volumes and consists of eleven Prosecution Exhibits, three Defense Exhibits, and sixteen Appellate Exhibits; the transcript is 187 pages. Appellant is not currently confined. Counsel has completed her review of the ROT in this case.

2. *United States v. Kelly*, No. ACM 40710 - The electronic ROT is one volume and consists of six Prosecution Exhibits, eight Defense Exhibits, and twelve Appellate Exhibits; the transcript is 172 pages. Appellant is not currently confined. Counsel has not yet reviewed the ROT in this case.

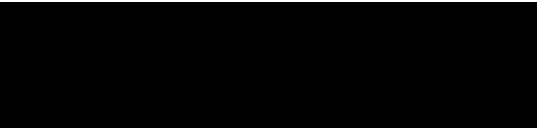
Good cause exists for this request. The undersigned counsel's current caseload, which includes multiple matters of significant age, requires careful allocation of time and attention. Although she is working diligently to move each case forward as quickly as possible, the demands of older matters must take priority. An enlargement of time in this case will allow counsel to meet these responsibilities without sacrificing the quality of representation owed to Appellant.

³ Since the filing of Appellant's last motion for an enlargement of time, counsel has filed briefs in *United States v. Szabo*, ACM 40809, *United States v. Anderson*, ACM 4657, and *United States v. Byrd*, ACM S32814.

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



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 9 January 2026.

Respectfully submitted,

[REDACTED]

JOYCLIN N. WEBSTER, Capt, USAF
Appellate Defense Counsel

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES'
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Senior Master Sergeant (E-8)	)	Before Panel No. 2
MATTHEW B. LUMM,)	
United States Air Force,	)	No. ACM 40748
<i>Appellant.</i>)	
	)	13 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 420 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 4 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.

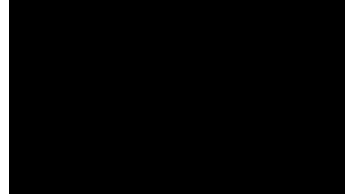


KATE E. LEE, Maj, USAF
Appellate Government Counsel



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 13 January 2026.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME
	)	(TWELFTH)
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force)	
<i>Appellant</i>	)	6 February 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 Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file Assignments of Error. Appellant requests an enlargement for a period of 30 days, which will end on **18 March 2026**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 410 days have elapsed. On the date requested, 450 days will have elapsed.

On 4 September 2024, Appellant was tried by a general court-martial composed of a military judge alone at Scott Air Force Base, Illinois. Trial Tr. 1, 13. Appellant was found guilty, consistent with his pleas and pursuant to a plea agreement, of one charge and one specification of possessing child pornography in violation of



GRANTED

11 FEB 2026

Article 134, UCMJ, 10 U.S.C. § 934. Trial Tr. 11, 15, 53; Electronic Record of Trial (eROT) Vol 1, *Entry of Judgment* (Oct. 7, 2024); Appellate Ex. II.¹

The military judge sentenced Appellant to a reprimand, reduction in pay grade to E-1, confinement for nine months, and a bad conduct discharge. Trial Tr. 110; eROT Vol 1, *Entry of Judgment* (Oct. 7, 2024). The convening authority took no action on the findings, deferred the reduction in rank and automatic forfeitures, and waived automatic forfeitures for a period of six months, or release from confinement, or expiration of term of service, whichever is sooner. eROT Vol 1, *Convening Authority Decision on Action* (Sep. 24, 2024).

The trial transcript is 111 pages long. The electronic record of trial contains four Prosecution Exhibits, fourteen Defense Exhibits, seven Appellate Exhibits, and one Court exhibit. 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.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned forty-one cases;

¹ Pursuant to a plea agreement, one charge and one specification of distributing child pornography in violation of Article 134, UCMJ, 10 U.S.C. § 934, was withdrawn and dismissed with prejudice. eROT Vol 1, *Entry of Judgment* (Oct. 7, 2024); Appellate Ex. II.

thirty-nine cases are pending before this Court (thirty-seven cases are pending AOE's) and two cases are pending before the Court of Appeals for the Armed Forces. To date, undersigned counsel has the following cases prioritized over the present case:

1. *United States v. Menard*, No. 25-0173/AF – Undersigned counsel is preparing and providing oral argument before the Court of Appeals of the Armed Forces on 10 February 2026.

2. *United States v. Lucas*, ACM 40702 – The record of trial is five electronic volumes consisting of eleven prosecution exhibits, three defense exhibits, and sixteen appellate exhibits; the transcript is 187 pages. Undersigned counsel has completed review of the record of trial and is actively drafting assignments of error.

Through no fault of Appellant, undersigned counsel has been unable to complete their review of Appellant's case. Undersigned counsel has reviewed the Entry of Judgment and Appellate Exhibit II. 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,



JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel



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 Air Force Government Trial and Appellate Operations Division on 6 February 2026.

[REDACTED]

JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES’
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT’S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM,	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	10 February 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 450 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 3 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.

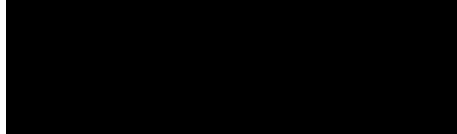


VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



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 10 February 2026.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME
	)	(THIRTEENTH)
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force)	
<i>Appellant</i>	)	9 March 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 Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file Assignments of Error. Appellant requests an enlargement for a period of 30 days, which will end on **17 April 2026**. The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 441 days have elapsed. On the date requested, 480 days will have elapsed.

On 4 September 2024, Appellant was tried by a general court-martial composed of a military judge alone at Scott Air Force Base, Illinois. Trial Tr. 1, 13. Appellant was found guilty, consistent with his pleas and pursuant to a plea agreement, of one charge and one specification of possessing child pornography in

violation of Article 134, UCMJ, 10 U.S.C. § 934. Trial Tr. 11, 15, 53; Entry of J.;

Appellate Ex. II.¹



GRANTED
12 MAR 2026

¹ Pursuant to a plea agreement, one charge and one specification of distributing child pornography in violation of Article 134, UCMJ, 10 U.S.C. § 934, was withdrawn and dismissed with prejudice. Entry of J.; Appellate Ex. II.

The military judge sentenced Appellant to a reprimand, reduction in pay grade to E-1, confinement for nine months, and a bad conduct discharge. Trial Tr. 110; Entry of J. The convening authority took no action on the findings, deferred the reduction in rank and automatic forfeitures, and waived automatic forfeitures for a period of six months, or release from confinement, or expiration of term of service, whichever is sooner. Convening Authority Decision on Action.

The trial transcript is 111 pages long. The electronic record of trial contains four Prosecution Exhibits, fourteen Defense Exhibits, seven Appellate Exhibits, and one Court exhibit. 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.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned forty-four cases; forty-two cases are pending before this Court (thirty-seven cases are pending AOE's) and two cases are pending before the Court of Appeals for the Armed Forces. To date, undersigned counsel has no cases prioritized over the present case; however, undersigned counsel is currently attending Squadron Officer School from 23 February 2026 to 27 March 2026.

Through no fault of Appellant, undersigned counsel has been unable to complete his review of Appellant's case. Undersigned counsel has reviewed the Entry of Judgment and Appellate Exhibit II. 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,



JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel



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 Air Force Government Trial and Appellate Operations Division on 9 March 2026.

[REDACTED]

JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES'
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Senior Master Sergeant (E-8)	)	Before Panel No. 2
MATTHEW B. LUMM,)	
United States Air Force,	)	No. ACM 40748
<i>Appellant.</i>)	
	)	11 March 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 480 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 2 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.

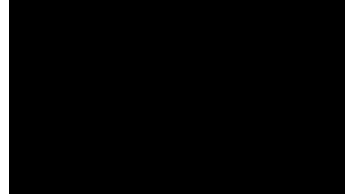


KATE E. LEE, Maj, USAF
Appellate Government Counsel



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 11 March 2026.



KATE E. LEE, Maj, USAF
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME
	)	(FOURTEENTH)
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force)	
<i>Appellant</i>	)	6 April 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 Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file Assignments of Error. Appellant requests an enlargement for a period of 30 days, which will end on **17 May 2026**.¹ The record of trial was docketed with this Court on 23 December 2024. From the date of docketing to the present date, 469 days have elapsed. On the date requested, 510 days will have elapsed.

On 4 September 2024, Appellant was tried by a general court-martial composed of a military judge alone at Scott Air Force Base, Illinois. Trial Tr. 1, 13. Appellant was found guilty, consistent with his pleas and pursuant to a plea of one charge and one specification of possessing child pornography in



GRANTED
8 APR 2026

¹ Undersigned counsel anticipates this will be the last request for an enlargement of time.

violation of Article 134, UCMJ, 10 U.S.C. § 934. Trial Tr. 11, 15, 53; Entry of J.; Appellate Ex. II.²

The military judge sentenced Appellant to a reprimand, reduction in pay grade to E-1, confinement for nine months, and a bad conduct discharge. Trial Tr. 110; Entry of J. The convening authority took no action on the findings, deferred the reduction in rank and automatic forfeitures, and waived automatic forfeitures for a period of six months, or release from confinement, or expiration of term of service, whichever is sooner. Convening Authority Decision on Action.

The trial transcript is 111 pages long. The electronic record of trial contains four Prosecution Exhibits, fourteen Defense Exhibits, seven Appellate Exhibits, and one Court exhibit. 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.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel provides the following information. Undersigned counsel is currently assigned thirty-nine cases; thirty-six cases are pending before this Court (thirty-two cases are pending assignments of error) and three cases are pending before the Court of Appeals for the

² Pursuant to a plea agreement, one charge and one specification of distributing child pornography in violation of Article 134, UCMJ, 10 U.S.C. § 934, was withdrawn and dismissed with prejudice. Entry of J.; Appellate Ex. II.

Armed Forces. To date, undersigned counsel has the following cases prioritized over the present case:

1. *United States v. Armour*, No. 26-0116/AF – Undersigned counsel is preparing and providing oral argument before the Court of Appeals for the Armed Forces on 28 April 2026.

2. *United States v. Campbell*, ACM 40652 – The appellant’s petition to the Court of Appeals for the Armed Forces, if any, is due on 10 May 2026.

Undersigned counsel has completed his review of Appellant’s case and is actively working on multiple assignments of error. Due to upcoming leave, intra-office reviews, and prioritized cases before the Court of Appeals for the Armed Forces, undersigned counsel anticipates the entire thirty-day extension is necessary; however, undersigned counsel will endeavor to submit any assignments of error as soon as practicable. An enlargement of time is necessary to allow counsel to complete any assignments of error and advise Appellant regarding potential errors.

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

Respectfully submitted,



JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel



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 Air Force Government Trial and Appellate Operations Division on 6 April 2026.

[REDACTED]

JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES'
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force.)	
<i>Appellant</i>	)	7 April 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 510 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 1 month combined for the United States and this Court to perform their separate statutory responsibilities.

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

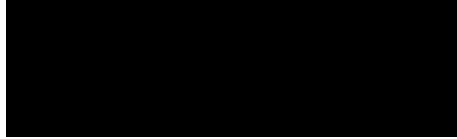


VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



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 7 April 2026.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel



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

UNITED STATES	)	No. ACM 40748
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Matthew B. LUMM)	
Senior Master Sergeant (E-8))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 2

On 31 March 2026, counsel for Appellant submitted a Motion to Examine Sealed Materials. Specifically, counsel seeks to examine Prosecution Exhibit 1, Attachments 1–3. The Government does not oppose the motion so long as both parties are permitted to examine the sealed material.

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 [their] responsibilities” Rule for Courts-Martial 1113(b)(3)(B)(i), *Manual for Courts-Martial, United States* (2024 ed.).

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

Accordingly, it is by the court on this 2d day of April 2026,

ORDERED:

Appellant’s Consent Motion to Examine Sealed Materials dated 31 March 2026 is **GRANTED**.

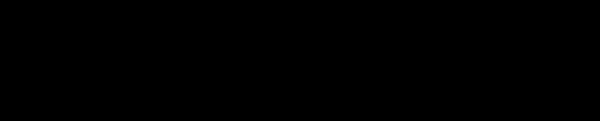
Appellate defense counsel and appellate government counsel may examine **Prosecution Exhibit 1, Attachments 1–3**, subject to the following conditions:

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

No counsel granted access to the materials may photocopy, photograph, reproduce, disclose, or make available the sealed content to any other individual without the court's prior written authorization.



FOR THE COURT



AGNIESZKA M. GAERTNER, Capt, USAF
Commissioner

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION TO
<i>Appellee</i>	)	EXAMINE SEALED
	)	MATERIALS
v.)	
	)	Before Panel No. 2
Senior Master Sergeant (E-8))	
MATTHEW B. LUMM	)	No. ACM 40748
United States Air Force)	
<i>Appellant</i>	)	31 March 2026

**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)(i) and Rules 3.1(c) and 23.3(f)(1) of this Court’s Rules of Practice and Procedure, undersigned counsel hereby moves to examine the following sealed materials: Prosecution Exhibit 1, Attachments 1-3.

In accordance with R.C.M. 1113(b)(3)(B)(i), which requires a colorable showing that examining these materials is reasonably necessary to fulfill appellate counsel’s responsibilities, undersigned counsel asserts that viewing the referenced materials is reasonably necessary to assess whether there are any issues regarding the files forming the basis of the Charge and Specification. All parties to the trial had access to the materials listed above.

While this Court has “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.” *United States v. May*, 47 M.J. 478, 481 (C.A.A.F. 1998). “Independent review is not the same as competent appellate

representation.” *Id.* The sealed materials here must be reviewed for counsel to provide “competent appellate representation.” *Id.* Viewing these exhibits is reasonably necessary to determine whether Appellant is entitled to relief due to errors during any portion of the proceedings—before, during, or after trial. Counsel cannot fulfill their duty to provide effective assistance of counsel without first reviewing the complete record of trial. Therefore, undersigned counsel’s examination of the sealed materials is reasonably necessary to fulfill their responsibilities in this case.

WHEREFORE, Appellant respectfully requests that this Honorable Court grant this motion.

Respectfully submitted,



JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel



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 Air Force Government Trial and Appellate Operations Division on 31 March 2026.



JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel



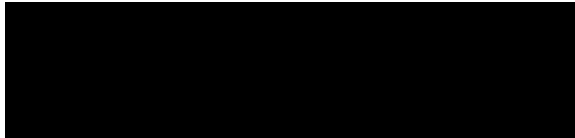
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' RESPONSE
<i>Appellee,</i>	)	TO APPELLANT'S MOTION
	)	TO EXAMINE SEALED
v.	)	MATERIALS
)	
Senior Master Sergeant (E-8)	)	Before Panel No. 2
MATTHEW B. LUMM,)	
United States Air Force,	)	No. ACM 40748
<i>Appellant.</i>)	
	)	31 March 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 does not oppose Appellant's Motion to examine sealed material so long as both parties are permitted to examine the sealed material.

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

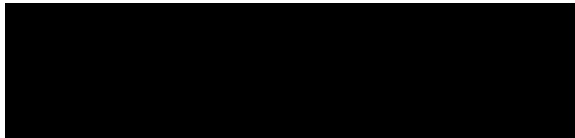


MARY ELLEN PAYNE
Associate Chief, Government Trial and



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 31 March 2026.



MARY ELLEN PAYNE
Associate Chief, Government Trial 



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 Air Force Government Trial and Appellate Operations Division on 12 January 2026.



JOHN M. FREDERICKS, Capt, USAF
Appellate Defense Counsel



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

UNITED STATES	)	No. ACM 40748
<i>Appellee</i>)	
)	
v.)	
	)	NOTICE OF PANEL CHANGE
Matthew B. LUMM)	
Senior Master Sergeant (E-8))	
U.S. Air Force)	
<i>Appellant</i>)	

It is by the court on this 4th day of August, 2025,

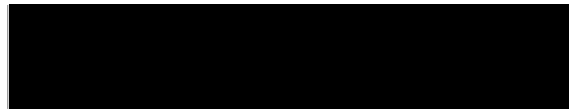
ORDERED:

That the Record of Trial in the above-styled matter is withdrawn from Panel 2 and referred to Panel 3 for appellate review.

This panel letter supersedes all previous panel assignments.



FOR THE COURT



AGNIESZKA M. GAERTNER, Capt, USAF
Commissioner

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

UNITED STATES	)	No. ACM 40748
<i>Appellee</i>)	
)	
v.)	
	)	NOTICE OF PANEL CHANGE
Matthew B. LUMM)	
Senior Master Sergeant (E-8))	
U.S. Air Force)	
<i>Appellant</i>)	

It is by the court on this 6th day of May, 2025,

ORDERED:

That the Record of Trial in the above-styled matter is withdrawn from Panel 3 and referred to Panel 2 for appellate review.

This panel letter supersedes all previous panel assignments.



FOR THE COURT



Chief Commissioner

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

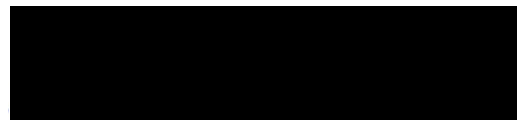
UNITED STATES	)	No. ACM 40748
<i>Appellee</i>)	
)	
v.)	
	)	NOTICE OF PANEL
Matthew B. LUMM	)	CHANGE
Senior Master Sergeant (E-8))	
U.S. Air Force)	
<i>Appellant</i>)	

It is by the court on this 15th day of December, 2025,

ORDERED:

That the Record of Trial in the above-styled matter is withdrawn from Panel 3 and referred to Panel 2 for appellate review.

This panel letter supersedes all previous panel assignments.



JACOB B. HOEFERKAMP, Capt, USAF
Chief Commissioner

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

UNITED STATES <i>Appellee</i>	)	No. ACM 40748
)	
v.)	
	)	ORDER
Matthew B. LUMM Senior Master Sergeant (E-8) U.S. Air Force <i>Appellant</i>	)	Panel 3

On 9 September 2025, counsel for Appellant submitted a Motion for Enlargement of Time (Seventh), requesting an additional 30 days to submit Appellant’s assignments of error. The Government opposes the motion.

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

Accordingly, it is by the court on this 11th day of September 2025,

ORDERED:

Appellant’s Motion for Enlargement of Time (Seventh) is **GRANTED**. Appellant shall file any assignments of error not later than **19 October 2025**.

Further requests by Appellant for enlargements of time may necessitate a status conference.



JACOB B. HOEFERKAMP, Capt, USAF
Chief Commissioner

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

UNITED STATES <i>Appellee</i>	)	No. ACM 40748
)	
v.)	
	)	ORDER
Matthew B. LUMM Senior Master Sergeant (E-8) U.S. Air Force <i>Appellant</i>)	
	)	Panel 2

On 20 April 2026, Appellant submitted a motion to withdraw from appellate review, along with a request to attach Appellant’s DD Form 2330, *Waiver/Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court of Criminal Appeals*, signed by Appellant on 17 April 2026 and Appellant’s counsel on 20 April 2026.

The Government did not file a response.

Accordingly, it is by the court on this day of 24th day of April, 2026,

ORDERED:

Appellant’s Motion to Withdraw from Appellate Review and Attach is **GRANTED**. Appellant’s case is forwarded to the Appellate Records Branch (JAJM) for further processing in accordance with Rules for Courts-Martial 1115(f)(3) and 1201, *Manual for Courts-Martial, United States* (2024 ed.).



[Redacted signature area]

Chief Commissioner

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