UNITED STATES, Appellee,)
V.)
Technical Sergeant (E-6),)
SHANDELLE G. LAURINE,)
United States Air Force,)
Appellant.)

MOTION FOR ENLARGEMENT OF TIME (FIRST)

Before Panel No. 1

No. ACM S32753

20 June 2023

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

Pursuant to Rule 23.3(m)(2) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for her first enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 60 days, which will end on **26 August 2023**. The record of trial was docketed with this Court on 28 April 2023. From the date of docketing to the present date, 53 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,

DAVID L. BOSNER, Maj, USAF Appellate Defense Counsel Appellate Defense Division <u>United States A</u>ir Force

I certify that the original and copies of the foregoing were sent via email to the Court and

served on the Appellate Government Division on 20 June 2023.

Respectfully submitted,

DAVID L. BOSNER, Maj, USAF Appellate Defense Counsel Appellate Defense Division United States Air Force

UNITED STATES,)	UNITED STATES' GENERAL
Appellee,)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
v.)	OF TIME
Technical Sergeant (E-6))	ACM S32753
SHANDELLE G. LAURINE, USAF,)	
Appellant.)	Panel No. 1
)	

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

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States

hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an

Assignment of Error in this case.

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

enlargement motion.



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

I certify that a copy of the foregoing was delivered to the Court and to the Air Force

Appellate Defense Division on <u>21 June 2023</u>.



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

UNITED STATES, Appellee,)
v.)
Technical Sergeant (E-6), SHANDELLE G. LAURINE,)
United States Air Force,)
Appellant.)

MOTION FOR ENLARGEMENT OF TIME (SECOND)

Before Panel No. 1

No. ACM S32753

18 August 2023

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

Pursuant to Rule 23.3(m)(2) and (4) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for her second enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **25 September 2023**. The record of trial was docketed with this Court on 28 April 2023. From the date of docketing to the present date, 112 days have elapsed. On the date requested, 150 days will have elapsed.

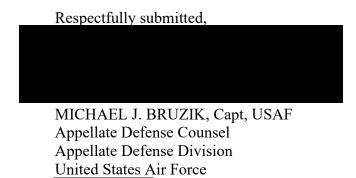
On 4 October 2022, Appellant was tried by a special court-martial composed of a military judge alone at Joint Base Charleston, South Carolina. Consistent with her pleas, the military judge found Appellant guilty of one charge and specification of failure to obey a general order in violation of Article 92, Uniform Code of Military Justice (UCMJ), for wrongful use of delta-8-tetrahydrocannabinol; one charge and two specifications of wrongful use of a controlled substance in violation Article 112a, UCMJ, for wrongful use of delta-9-tetrahydrocannibal and cocaine respectively; one charge and specification of failure to go to an appointed place of duty in violation of Article 86, UCMJ; and one charge and specification of drunken operation of a vehicle in violation of Article 113, UCMJ. Record of Trial (ROT) Vol. 1, Entry of Judgment (EOJ), dated 29 November 2022; Vol. 2 page 10. The military judge sentenced Appellant to be confined for

170 days,¹ reduced to the grade of E-3, and to receive a bad conduct discharge. ROT Vol. 2, page 138. The convening authority took no action on the findings or sentence. ROT Vol. 1, Convening Authority Decision on Action – *United States v. TSgt Shandelle G. Laurine*, dated 7 November 2022.

The record of trial consists of three volumes. The transcript is 136 pages. There are seven Prosecution exhibits, 32 Defense exhibits, and three appellate exhibits. Appellant is not currently in confinement.

Through no fault of Appellant, undersigned counsel was newly detailed to represent Appellant on 28 July 2023 after the release of Appellant's previous attorney. This has prevented counsel from having an adequate opportunity to review the ROT. Additionally, the undersigned counsel has been working on other assigned matters. Accordingly, an enlargement of time is necessary to allow undersigned counsel to fully review Appellant's case and advise Appellant regarding potential errors.

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



¹ In addition to the adjudged sentence, the Military Judge recognized 67 days of credit to be applied against the Appellant's term of confinement.

I certify that the original and copies of the foregoing were sent via email to the Court and

served on the Appellate Government Division on 18 August 2023.

Respectfully submitted,

MICHAEL J. BRUZIK, Capt, USAF Appellate Defense Counsel Appellate Defense Division United States Air Force

)	UNITED STATES' GENERAL
)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
)	OF TIME
)	
)	ACM S32753
)	
)	Panel No. 1
)	
))))))

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

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States

hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an

Assignment of Error in this case.

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

enlargement motion.



PETE FERRELL, Lt Col, USAF Director of Operations Government Trial and Appellate Operations Division Military Justice and Discipline Directorate United States Air Force

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on <u>21 August 2023</u>.



PETE FERRELL, Lt Col, USAF Director of Operations Government Trial and Appellate Operations Division Military Justice and Discipline Directorate United States Air Force

UNITED STATES,

Appellee,

v.

Technical Sergeant (E-6), SHANDELLE G. LAURINE, United States Air Force, *Appellant.*

MOTION FOR WITHDRAWAL OFAPPELLATE DEFENSE COUNSEL

) Before Panel No. 1
) No. ACM S32753
)
) 23 August 2023

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

Pursuant to Rules 12(b), 12.4, and 23.3(h) of this Honorable Court's Rules of Practice and Procedure, undersigned counsel respectfully requests to withdraw as counsel in the abovecaptioned case. Captain Michael Bruzik has been detailed substitute counsel in undersigned counsel's stead and filed a pleading on Appellant's behalf on 18 August 2023. A thorough turnover of the record between counsel has been completed. The undersigned counsel will be departing from the Air Force Appellate Defense Division and beginning a new assignment on 5 September 2023.

Appellant has been advised of this motion to withdraw as counsel and consents to undersigned counsel's withdrawal. A copy of this motion will be delivered to Appellant following its filing.

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

Respectfully submitted,

DAVID L. BOSNER, Maj, USAF Appellate Defense Counsel Appellate Defense Division United States Air Force

CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing were sent via email to the Court

and served on the Appellate Government Division on 23 August 2023.

Respectfully submitted,

United States Air Force

DAVID L. BOSNER, Maj, USAF Appellate Defense Counsel Appellate Defense Division

UNITED STATES,)
Appellee,)
)
V.)
)
Technical Sergeant (E-6),)
SHANDELLE G. LAURINE,)
United States Air Force,)
Appellant.)

MOTION FOR ENLARGEMENT OF TIME (THIRD)

Before Panel No. 1

No. ACM S32753

18 September 2023

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

Pursuant to Rule 23.3(m)(2) and (4) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for her third enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **25 October 2023**. The record of trial was docketed with this Court on 28 April 2023. From the date of docketing to the present date, 143 days have elapsed. On the date requested, 180 days will have elapsed.

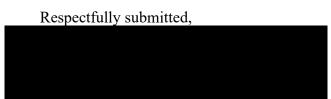
On 4 October 2022, Appellant was tried by a special court-martial composed of a military judge alone at Joint Base Charleston, South Carolina. Consistent with her pleas, the military judge found Appellant guilty of one charge and specification of failure to obey a general order in violation of Article 92, Uniform Code of Military Justice (UCMJ), for wrongful use of delta-8-tetrahydrocannabinol; one charge and two specifications of wrongful use of a controlled substance in violation Article 112a, UCMJ, for wrongful use of delta-9-tetrahydrocannibal and cocaine respectively; one charge and specification of failure to go to an appointed place of duty in violation of Article 86, UCMJ; and one charge and specification of drunken operation of a vehicle in violation of Article 113, UCMJ. Record of Trial (ROT) Vol. 1, Entry of Judgment (EOJ), dated 29 November 2022; Vol. 2 page 10. The military judge sentenced Appellant to be confined for

170 days,¹ reduced to the grade of E-3, and to receive a bad conduct discharge. ROT Vol. 2, page 138. The convening authority took no action on the findings or sentence. ROT Vol. 1, Convening Authority Decision on Action – *United States v. TSgt Shandelle G. Laurine*, dated 7 November 2022.

The record of trial consists of three volumes. The transcript is 136 pages. There are seven Prosecution exhibits, 32 Defense exhibits, and three appellate exhibits. Appellant is not currently in confinement.

Through no fault of Appellant, undersigned counsel has been working on other assigned matters and has not yet completed an initial review of the ROT. These other matters include counsel's detailing as trial defense counsel in the special court-martial for *United States v. TSgt Samoy Young*. This court-martial required counsel to be on TDY status at Osan Air Base, Republic of Korea between 1 September and 16 September 2023 with limited opportunity to work on Appellant's case. Accordingly, an enlargement of time is necessary to allow undersigned counsel to fully review Appellant's case and advise Appellant regarding potential errors.

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

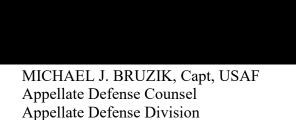


MICHAEL J. BRUZIK, Capt, USAF Appellate Defense Counsel Appellate Defense Division <u>United States A</u>ir Force

¹ In addition to the adjudged sentence, the Military Judge recognized 67 days of credit to be applied against the Appellant's term of confinement.

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Appellate Government Division on 18 September 2023.

Respectfully submitted,



United States Air Force

UNITED STATES,)	UNITED STATES' GENERAL
Appellee,)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
V.)	OF TIME
)	A () ((222752
Technical Sergeant (E-6))	ACM S32753
SHANDELLE G. LAURINE, USAF,)	
Appellant.)	Panel No. 1
)	

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

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States

hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an

Assignment of Error in this case.

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

enlargement motion.



PETE FERRELL, Lt Col, USAF Director of Operations Government Trial and Appellate Operations Division Military Justice and Discipline Directorate United States Air Force

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on <u>20 September 2023</u>.



PETE FERRELL, Lt Col, USAF Director of Operations Government Trial and Appellate Operations Division Military Justice and Discipline Directorate United States Air Force

UNITED STATES,)
Appellee,)
)
V.)
)
Technical Sergeant (E-6),)
SHANDELLE G. LAURINE,)
United States Air Force,)
Appellant.)

MOTION FOR ENLARGEMENT OF TIME (FOURTH)

Before Panel No. 1

No. ACM S32753

18 October 2023

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

Pursuant to Rule 23.3(m)(2) and (6) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for her fourth enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **24 November 2023**. The record of trial was docketed with this Court on 28 April 2023. From the date of docketing to the present date, 173 days have elapsed. On the date requested, 210 days will have elapsed.

On 4 October 2022, Appellant was tried by a special court-martial composed of a military judge alone at Joint Base Charleston, South Carolina. Consistent with her pleas, the military judge found Appellant guilty of one charge and specification of failure to obey a general order in violation of Article 92, Uniform Code of Military Justice (UCMJ), for wrongful use of delta-8-tetrahydrocannabinol; one charge and two specifications of wrongful use of a controlled substance in violation Article 112a, UCMJ, for wrongful use of delta-9-tetrahydrocannibal and cocaine respectively; one charge and specification of failure to go to an appointed place of duty in violation of Article 86, UCMJ; and one charge and specification of drunken operation of a vehicle in violation of Article 113, UCMJ. Record of Trial (ROT) Vol. 1, Entry of Judgment (EOJ), dated 29 November 2022; Vol. 2 page 10. The military judge sentenced Appellant to be confined for

170 days,¹ reduced to the grade of E-3, and to receive a bad conduct discharge. ROT Vol. 2, page 138. The convening authority took no action on the findings or sentence. ROT Vol. 1, Convening Authority Decision on Action – *United States v. TSgt Shandelle G. Laurine*, dated 7 November 2022.

The record of trial consists of three volumes. The transcript is 136 pages. There are seven Prosecution exhibits, 32 Defense exhibits, and three appellate exhibits. Appellant is not currently in confinement. Undersigned counsel has completed an initial review of the ROT.

Counsel is currently assigned 14 cases; 9 cases are pending initial AOEs before this Court. The undersigned counsel's three highest priority cases include the following:

- United States v. Scott, ACM 40411 The record of trial is 11 volumes consisting of 14 prosecution exhibits, 14 defense exhibits, one court exhibit, and 55 appellate exhibits; the transcript is 1599 pages. Undersigned counsel has begun, but not yet completed an initial review of the record of trial. This case is the undersigned counsel's highest priority.
- 2) United States v. Cassaberry-Folks, ACM 40444 The record of trial consists of seven volumes. The transcript is 375 pages. There are four Prosecution Exhibits, three Defense Exhibits, one Court Exhibit and 11 Appellate Exhibits. Undersigned counsel has begun, but not yet completed review of the record of trial.
- 3) *United States v. Thomas*, ACM S32748 The record of trial is three volumes consisting of 12 prosecution exhibits, three defense exhibits, six appellate exhibits, and two court

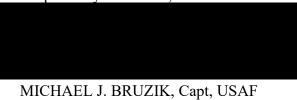
¹ In addition to the adjudged sentence, the Military Judge recognized 67 days of credit to be applied against the Appellant's term of confinement.

exhibits; the transcript is 119 pages. Undersigned counsel has completed an initial review of the record of trial.

Through no fault of Appellant, the undersigned counsel has been unable has been unable to complete further in-depth review of and prepare a brief for Appellant's case. In addition to the matters specified above, counsel has been at work on a response to a petition for extraordinary relief before this Court in the matter of *In re RW v. United States*, due 30 October 2023. Accordingly, an enlargement of time is necessary to allow the undersigned counsel to further review Appellant's case and advise Appellant regarding potential errors.

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

Respectfully submitted,



Appellate Defense Division United States Air Force

I certify that the original and copies of the foregoing were sent via email to the Court and

served on the Appellate Government Division on 18 October 2023.

Respectfully submitted,

MICHAEL J. BRUZIK, Capt, USAF Appellate Defense Counsel Appellate Defense Division United States Air Force

UNITED STATES,)	UNITED STATES' GENERAL
Appellee,)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
V.)	OF TIME
)	
Technical Sergeant (E-6))	ACM \$32753
SHANDELLE G. LAURINE, USAF,)	
Appellant.)	Panel No. 1
)	

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

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States

hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an

Assignment of Error in this case.

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

enlargement motion.



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

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on <u>20 October 2023</u>.



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

)

)))

UNITED STATES,	Appellee,	
v.		
Technical Sergeant (E-(SHANDELLE G. LAU United States Air Force	U RINE,	
	Appellant.	

MOTION FOR ENLARGEMENT OF TIME (FIFTH)

Before Panel No. 1

No. ACM S32753

17 November 2023

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

Pursuant to Rule 23.3(m)(2) and (6) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for her fifth enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **24 December 2023**. The record of trial was docketed with this Court on 28 April 2023. From the date of docketing to the present date, 203 days have elapsed. On the date requested, 240 days will have elapsed.

On 4 October 2022, Appellant was tried by a special court-martial composed of a military judge alone at Joint Base Charleston, South Carolina. Consistent with her pleas, the military judge found Appellant guilty of one charge and specification of failure to obey a general order in violation of Article 92, Uniform Code of Military Justice (UCMJ), for wrongful use of delta-8-tetrahydrocannabinol; one charge and two specifications of wrongful use of a controlled substance in violation Article 112a, UCMJ, for wrongful use of delta-9-tetrahydrocannibal and cocaine respectively; one charge and specification of failure to go to an appointed place of duty in violation of Article 86, UCMJ; and one charge and specification of drunken operation of a vehicle in violation of Article 113, UCMJ. Record of Trial (ROT) Vol. 1, Entry of Judgment (EOJ), dated 29 November 2022; Vol. 2 page 10. The military judge sentenced Appellant to be confined for

170 days,¹ reduced to the grade of E-3, and to receive a bad conduct discharge. ROT Vol. 2, page 138. The convening authority took no action on the findings or sentence. ROT Vol. 1, Convening Authority Decision on Action – *United States v. TSgt Shandelle G. Laurine*, dated 7 November 2022.

The record of trial consists of three volumes. The transcript is 136 pages. There are seven Prosecution exhibits, 32 Defense exhibits, and three appellate exhibits. Appellant is not currently in confinement. Undersigned counsel has completed an initial review of the ROT.

Counsel is currently assigned 14 cases; 9 cases are pending initial AOEs before this Court. The undersigned counsel's three highest priority cases include the following:

- United States v. Scott, ACM 40411 The record of trial is 11 volumes consisting of 14 prosecution exhibits, 14 defense exhibits, one court exhibit, and 55 appellate exhibits; the transcript is 1599 pages. Undersigned counsel has completed review of the ROT and has begun drafting an assignment of error. This case is the undersigned counsel's highest priority.
- 2) United States v. Cassaberry-Folks, ACM 40444 The record of trial consists of seven volumes. The transcript is 375 pages. There are four Prosecution Exhibits, three Defense Exhibits, one Court Exhibit and 11 Appellate Exhibits. Undersigned counsel has begun, but not yet completed review of the record of trial.
- 3) *United States v. Thomas*, ACM S32748 The record of trial is three volumes consisting of 12 prosecution exhibits, three defense exhibits, six appellate exhibits, and two court

¹ In addition to the adjudged sentence, the Military Judge recognized 67 days of credit to be applied against the Appellant's term of confinement.

exhibits; the transcript is 119 pages. Undersigned counsel has completed an initial review of the record of trial.

Through no fault of Appellant, undersigned counsel has been working on other assigned matters and has yet to complete his review of Appellant's case. Accordingly, an enlargement of time is necessary to allow undersigned counsel to fully review Appellant's case and advise Appellant regarding potential errors. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise Appellant regarding potential error.

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

Respectfully submitted,

MICHAEL J. BRUZIK, Capt, USAF Appellate Defense Counsel Appellate Defense Division United States Air Force

I certify that the original and copies of the foregoing were sent via email to the Court and

served on the Appellate Government Division on 17 November 2023.

Respectfully submitted,

MICHAEL J. BRUZIK, Capt, USAF Appellate Defense Counsel Appellate Defense Division United States Air Force

UNITED STATES,)	UNITED STATES' GENERAL
Appellee,)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
V.)	OF TIME
)	
Technical Sergeant (E-6))	ACM \$32753
SHANDELLE G. LAURINE, USAF,)	
Appellant.)	Panel No. 1
)	

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

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States

hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an

Assignment of Error in this case.

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

enlargement motion.



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

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on <u>21 November 2023</u>.



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

UNITED STATES)	No. ACM S32753
Appellee)	
)	
v.)	
)	ORDER
Shandelle G. LAURINE)	
Technical Sergeant (E-6))	
U.S. Air Force)	
Appellant)	Panel 1

On 17 November 2023, counsel for Appellant submitted a Motion for Enlargement of Time (Fifth) 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, case law, and this court's Rules of Practice and Procedure. Accordingly, it is by the court on this 21st day of November, 2023,

ORDERED:

Appellant's Motion for Enlargement of Time (Fifth) is **GRANTED**. Appellant shall file any assignments of error not later than **24 December 2023**.

Any subsequent motions for enlargement of time shall, in addition to the matters required under this court's Rules of Practice and Procedure, include a statement as to: (1) whether Appellant was advised of Appellant's right to a timely appeal, (2) whether Appellant was advised of the request for an enlargement of time, and (3) whether Appellant agrees with the request for an enlargement of time.





CAROL K. JOYCE Clerk of the Court