

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. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	6 September 2022
<i>Appellant</i>)	

**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 his 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 **12 November 2022**. The record of trial was docketed with this Court on 15 July 2022. 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,

[Redacted Signature]

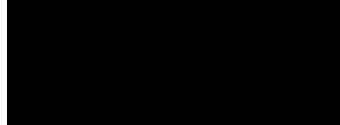
HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

[Redacted Address]

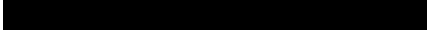
CERTIFICATE OF FILING AND SERVICE

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 6 September 2022.

Respectfully submitted,

A large black rectangular redaction box covering the signature of Heather M. Caine.

HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

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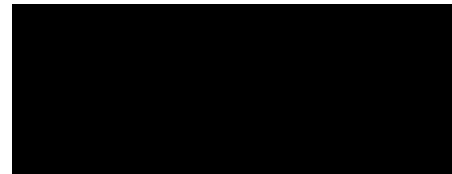
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

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

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

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



THOMAS J. ALFORD, Lt Col, USAFR
Appellate Government Counsel, Government
Trial and Appellate Operations Division
Military Justice and Discipline
United States Air Force



CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force
Appellate Defense Division on 8 September 2022.



THOMAS J. ALFORD, Lt Col, USAFR
Appellate Government Counsel, Government
Trial and Appellate Operations Division
Military Justice and Discipline
United States Air Force



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee</i>	)	TIME (SECOND)
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	2 November 2022
<i>Appellant</i>)	

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

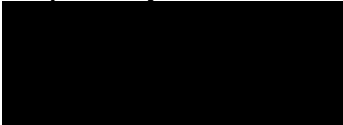
Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **12 December 2022**. The record of trial was docketed with this Court on 15 July 2022. From the date of docketing to the present date, 110 days have elapsed. On the date requested, 150 days will have elapsed.

On 20 September 2021 and 20 April 2022, at a general court-martial convened at Joint Base Andrews, Maryland, TSgt Milla was found guilty, consistent with his pleas, of one specification of assault consummated by a battery in violation of Article 128, Uniform Code of Military Justice (UCMJ); and was found not guilty of one specification of aggravated assault with a dangerous weapon in violation of Article 128, UCMJ, and one specification of attempted murder in violation of Article 80, UCMJ. Record of Trial (ROT), Vol. 1, *Entry of Judgment*, 10 June 2022. The military judge sentenced TSgt Milla to a bad conduct discharge, forty-five days of confinement, reduction in grade to E-4, \$1,000.00 pay per month for one month, and a reprimand. *Id.* The convening authority took no action on the findings or sentence. ROT Vol. 1, *Convening Authority Decision on Action*, 6 June 2022. TSgt Milla is currently not in confinement.

The trial transcript is 210 pages long and the record of trial is comprised of five volumes containing three prosecutions exhibits, nine defense exhibits, twenty-two appellate exhibits, and no court exhibit.

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

Respectfully submitted,



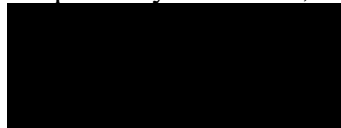
HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division



CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Appellate Government Division on 2 November 2022.

Respectfully submitted,



HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division



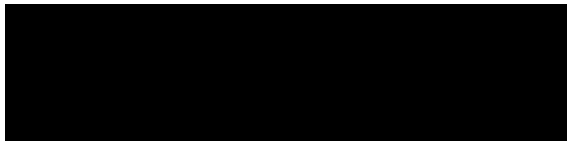
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

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

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

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

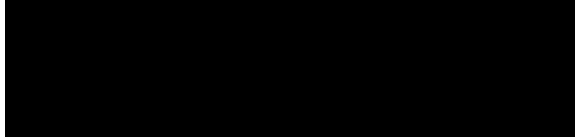


MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force



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 2 November 2022.



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



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee</i>	)	TIME (THIRD)
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	5 December 2022
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **11 January 2023**. The record of trial was docketed with this Court on 15 July 2022. From the date of docketing to the present date, 142 days have elapsed. On the date requested, 180 days will have elapsed.

On 20 September 2021 and 20 April 2022, at a general court-martial convened at Joint Base Andrews, Maryland, TSgt Milla was found guilty, consistent with his pleas, of one specification of assault consummated by a battery in violation of Article 128, Uniform Code of Military Justice (UCMJ); and was found not guilty of one specification of aggravated assault with a dangerous weapon in violation of Article 128, UCMJ, and one specification of attempted murder in violation of Article 80, UCMJ. Record of Trial (ROT), Vol. 1, *Entry of Judgment*, 10 June 2022. The military judge sentenced TSgt Milla to a bad conduct discharge, forty-five days of confinement, reduction in grade to E-4, \$1,000.00 pay per month for one month, and a reprimand. *Id.* The convening authority took no action on the findings or sentence. ROT Vol. 1, *Convening Authority Decision on Action*, 6 June 2022. TSgt Milla is currently not in confinement.

The trial transcript is 210 pages long and the record of trial is comprised of five volumes containing three prosecutions exhibits, nine defense exhibits, twenty-two appellate exhibits, and no court exhibit.

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

Respectfully submitted,

[Redacted signature]

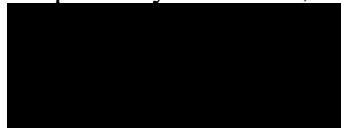
HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

[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 Appellate Government Division on 5 December 2022.

Respectfully submitted,

A large black rectangular redaction box covering the signature of Heather M. Caine.

HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

Four horizontal black rectangular redaction boxes covering contact information, likely a phone number, email address, and office address.

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
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

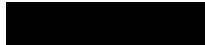
**TO THE HONORABLE, THE JUDGES OF
THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

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

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

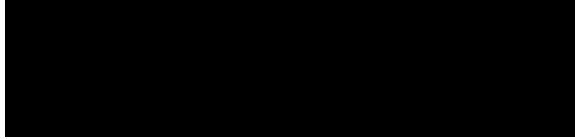


MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force



CERTIFICATE OF FILING AND SERVICE

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Appellate Defense Division on 5 December 2022.



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



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee</i>	)	TIME (FOURTH)
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	4 January 2023
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **10 February 2023**. The record of trial was docketed with this Court on 15 July 2022. From the date of docketing to the present date, 173 days have elapsed. On the date requested, 210 days will have elapsed.

On 20 September 2021 and 20 April 2022, at a general court-martial convened at Joint Base Andrews, Maryland, Appellant was found guilty, consistent with his pleas, of one specification of assault consummated by a battery in violation of Article 128, Uniform Code of Military Justice (UCMJ); and was found not guilty of one specification of aggravated assault with a dangerous weapon in violation of Article 128, UCMJ, and one specification of attempted murder in violation of Article 80, UCMJ. Record of Trial (ROT), Vol. 1, *Entry of Judgment*, 10 June 2022. The military judge sentenced Appellant to a bad conduct discharge, forty-five days of confinement, reduction in grade to E-4, \$1,000.00 pay per month for one month, and a reprimand. *Id.* The convening authority took no action on the findings or sentence. ROT Vol. 1, *Convening Authority Decision on Action*, 6 June 2022. Appellant is currently not in confinement.

The trial transcript is 210 pages long and the record of trial is comprised of five volumes containing three prosecutions exhibits, nine defense exhibits, 22 appellate exhibits, and zero court exhibits.

Undersigned counsel is currently assigned 16 cases, with 12 initial briefs pending before this Court. Through no fault of Appellant, undersigned counsel has been working on other assigned matters and has yet to complete her 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. Eight cases have priority over the present case:

1. *United States v. Guihama*, ACM 40039: The petition for grant of review is due to the CAAF on 17 January 2023.
2. *United States v. Flores*, ACM 40294: The trial transcript is 171 pages long and the record of trial is comprised of three volumes containing six prosecution exhibits, zero defense exhibits, 16 appellate exhibits, and zero court exhibits. Counsel is reviewing the record of trial.
3. *United States v. Arroyo*, ACM 40321: The trial transcript is 154 pages long and the record of trial is comprised of three volumes containing three prosecution exhibits, 20 defense exhibits, 26 appellate exhibits, and one court exhibit. Counsel is reviewing the record of trial.
4. *United States v. Walker*, ACM S32737: The trial transcript is 90 pages long and the record of trial is comprised of three volumes containing four prosecution exhibits, eight defense exhibits, three appellate exhibits, and zero court exhibits. Counsel is reviewing the record of trial.
5. *United States v. Edwards*, ACM 40349: The trial transcript is 1505 pages long and the

record of trial is comprised of 12 volumes containing 37 prosecution exhibits, 38 defense exhibits, 70 appellate exhibits, and one court exhibit. Counsel is reviewing the record of trial.

6. *United States v. Greene-Watson*, ACM 40293: The trial transcript is 536 pages long and the record of trial is comprised of 11 volumes containing 21 prosecution exhibits, 12 defense exhibits, 46 appellate exhibits, and one court exhibit. Counsel is reviewing the record of trial.

7. *United States v. Emerson*, ACM 40297: The trial transcript is 255 pages long and the record of trial is comprised of four volumes containing seven prosecutions exhibits, seven defense exhibits, 27 appellate exhibits, and zero court exhibits. Counsel is reviewing the record of trial.

8. *United States v. Dugan*, ACM 40320: The trial transcript is 225 pages long and the record of trial is comprised of four volumes containing six prosecutions exhibits, 22 defense exhibits, 10 appellate exhibits, and zero court exhibits. Counsel is reviewing the record of trial.

Appellant was advised of his right to a timely appeal. 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.

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

Respectfully submitted,

[Redacted signature]

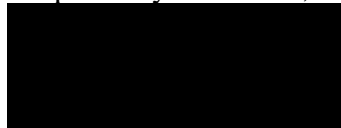
HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

[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 Appellate Government Division on 4 Januar 2023.

Respectfully submitted,



HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division



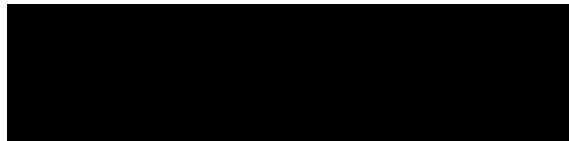
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

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

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

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

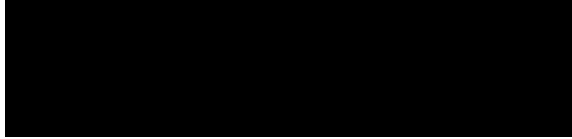


MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force



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 January 2023.



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



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee</i>	)	TIME (FIFTH)
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	3 February 2023
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (4) 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 **12 March 2023**. The record of trial was docketed with this Court on 15 July 2022. From the date of docketing to the present date, 203 days have elapsed. On the date requested, 240 days will have elapsed.

On 20 September 2021 and 20 April 2022, at a general court-martial convened at Joint Base Andrews, Maryland, Appellant was found guilty, consistent with his pleas, of one specification of assault consummated by a battery in violation of Article 128, Uniform Code of Military Justice (UCMJ); and was found not guilty of one specification of aggravated assault with a dangerous weapon in violation of Article 128, UCMJ, and one specification of attempted murder in violation of Article 80, UCMJ. Record of Trial (ROT), Vol. 1, *Entry of Judgment*, 10 June 2022. The military judge sentenced Appellant to a bad conduct discharge, forty-five days of confinement, reduction in grade to E-4, \$1,000.00 pay per month for one month, and a reprimand. *Id.* The convening authority took no action on the findings or sentence. ROT Vol. 1, *Convening Authority Decision on Action*, 6 June 2022. Appellant is currently not in confinement.

The trial transcript is 210 pages long and the record of trial is comprised of five volumes containing three prosecutions exhibits, nine defense exhibits, 22 appellate exhibits, and zero court exhibits.

Undersigned counsel is currently assigned 16 cases, with 11 initial briefs pending before this Court. Through no fault of Appellant, undersigned counsel has been working on other assigned matters and has yet to complete her 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. Seven cases have priority over the present case:

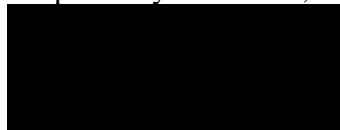
1. *United States v. Arroyo*, ACM 40321: The trial transcript is 154 pages long and the record of trial is comprised of three volumes containing three prosecution exhibits, 20 defense exhibits, 26 appellate exhibits, and one court exhibit. Counsel is reviewing the record of trial.
2. *United States v. Cabuhat, Jr.*, ACM 40191: Oral argument was ordered on three issues in this case, which is to be scheduled in March 2023.
3. *United States v. Walker*, ACM S32737: The trial transcript is 90 pages long and the record of trial is comprised of three volumes containing four prosecution exhibits, eight defense exhibits, three appellate exhibits, and zero court exhibits.
4. *United States v. Edwards*, ACM 40349: The trial transcript is 1505 pages long and the record of trial is comprised of 12 volumes containing 37 prosecution exhibits, 38 defense exhibits, 70 appellate exhibits, and one court exhibit.
5. *United States v. Greene-Watson*, ACM 40293: The trial transcript is 536 pages long and the record of trial is comprised of 11 volumes containing 21 prosecution exhibits, 12 defense exhibits, 46 appellate exhibits, and one court exhibit.

6. *United States v. Emerson*, ACM 40297: The trial transcript is 255 pages long and the record of trial is comprised of four volumes containing seven prosecutions exhibits, seven defense exhibits, 27 appellate exhibits, and zero court exhibits.
7. *United States v. Dugan*, ACM 40320: The trial transcript is 225 pages long and the record of trial is comprised of four volumes containing six prosecutions exhibits, 22 defense exhibits, 10 appellate exhibits, and zero court exhibits.

Appellant was advised of his right to a timely appeal. 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.

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

Respectfully submitted,



HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division



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 3 February 2023.

Respectfully submitted,

[REDACTED]

HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

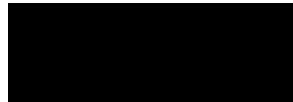
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

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

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

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



OLIVIA B. HOFF, Capt, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force



CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 3 February 2023.



OLIVIA B. HOFF, Capt, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force



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

UNITED STATES	)	No. ACM 40307
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Alexander J. MILLA)	
Technical Sergeant (E-6))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 1

On 3 February 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 6th day of February, 2023,

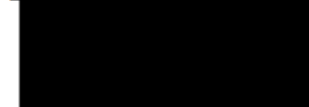
ORDERED:

Appellant’s Motion for Enlargement of Time (Fifth) is **GRANTED**. Appellant shall file any assignments of error not later than **12 March 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.



FOR THE COURT



ANTHONY F. ROCK, Maj, USAF
Deputy Clerk of the Court

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee</i>	)	TIME (SIXTH)
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	3 March 2023
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **11 April 2023**. The record of trial was docketed with this Court on 15 July 2022. From the date of docketing to the present date, 231 days have elapsed. On the date requested, 270 days will have elapsed.

On 20 September 2021 and 20 April 2022, at a general court-martial convened at Joint Base Andrews, Maryland, Appellant was found guilty, consistent with his pleas, of one specification of assault consummated by a battery in violation of Article 128, Uniform Code of Military Justice (UCMJ); and was found not guilty of one specification of aggravated assault with a dangerous weapon in violation of Article 128, UCMJ, and one specification of attempted murder in violation of Article 80, UCMJ. Record of Trial (ROT), Vol. 1, *Entry of Judgment*, 10 June 2022. The military judge sentenced Appellant to a bad conduct discharge, forty-five days of confinement, reduction in grade to E-4, \$1,000.00 pay per month for one month, and a reprimand. *Id.* The convening authority took no action on the findings or sentence. ROT Vol. 1, *Convening Authority Decision on Action*, 6 June 2022. Appellant is currently not in confinement.

The trial transcript is 210 pages long and the record of trial is comprised of five volumes containing three prosecutions exhibits, nine defense exhibits, 22 appellate exhibits, and zero court exhibits.

Undersigned counsel is currently assigned 15 cases, with 10 initial briefs pending before this Court. Through no fault of Appellant, undersigned counsel has been working on other assigned matters and has yet to complete her 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. Six cases have priority over the present case:

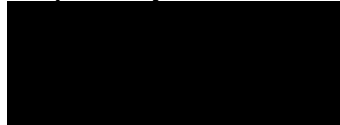
1. *United States v. Cabuhat, Jr.*, ACM 40191: Oral argument was ordered on three issues in this case and is scheduled for 22 March 2023. Counsel has reviewed the record of trial and is preparing for oral argument.
2. *United States v. Walker*, ACM S32737: The trial transcript is 90 pages long and the record of trial is comprised of three volumes containing four prosecution exhibits, eight defense exhibits, three appellate exhibits, and zero court exhibits.
3. *United States v. Edwards*, ACM 40349: The trial transcript is 1505 pages long and the record of trial is comprised of 12 volumes containing 37 prosecution exhibits, 38 defense exhibits, 70 appellate exhibits, and one court exhibit.
4. *United States v. Greene-Watson*, ACM 40293: The trial transcript is 536 pages long and the record of trial is comprised of 11 volumes containing 21 prosecution exhibits, 12 defense exhibits, 46 appellate exhibits, and one court exhibit.
5. *United States v. Emerson*, ACM 40297: The trial transcript is 255 pages long and the record of trial is comprised of four volumes containing seven prosecutions exhibits, seven defense exhibits, 27 appellate exhibits, and zero court exhibits.

6. *United States v. Dugan*, ACM 40320: The trial transcript is 225 pages long and the record of trial is comprised of four volumes containing six prosecutions exhibits, 22 defense exhibits, 10 appellate exhibits, and zero court exhibits.

Appellant was advised of his right to a timely appeal. 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.

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

Respectfully submitted,



HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division



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 3 March 2023.

Respectfully submitted,

[REDACTED]

HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

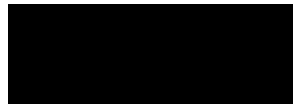
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

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

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

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

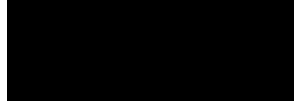


OLIVIA B. HOFF, Capt, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force



CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 3 March 2023.



OLIVIA B. HOFF, Capt, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee</i>	)	TIME (SIXTH)
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	3 April 2023
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **11 May 2023**. The record of trial was docketed with this Court on 15 July 2022. From the date of docketing to the present date, 262 days have elapsed. On the date requested, 300 days will have elapsed.

On 20 September 2021 and 20 April 2022, at a general court-martial convened at Joint Base Andrews, Maryland, Appellant was found guilty, consistent with his pleas, of one specification of assault consummated by a battery in violation of Article 128, Uniform Code of Military Justice (UCMJ); and was found not guilty of one specification of aggravated assault with a dangerous weapon in violation of Article 128, UCMJ, and one specification of attempted murder in violation of Article 80, UCMJ. Record of Trial (ROT), Vol. 1, *Entry of Judgment*, 10 June 2022. The military judge sentenced Appellant to a bad conduct discharge, forty-five days of confinement, reduction in grade to E-4, \$1,000.00 pay per month for one month, and a reprimand. *Id.* The convening authority took no action on the findings or sentence. ROT Vol. 1, *Convening Authority Decision on Action*, 6 June 2022. Appellant is currently not in confinement.

The trial transcript is 210 pages long and the record of trial is comprised of five volumes containing three prosecutions exhibits, nine defense exhibits, 22 appellate exhibits, and zero court exhibits.

Undersigned counsel is currently assigned 15 cases, with 10 initial briefs pending before this Court. Through no fault of Appellant, undersigned counsel has been working on other assigned matters and has yet to complete her 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. Five cases have priority over the present case:

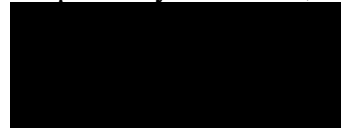
1. *United States v. Walker*, ACM S32737: The trial transcript is 90 pages long and the record of trial is comprised of three volumes containing four prosecution exhibits, eight defense exhibits, three appellate exhibits, and zero court exhibits. Counsel is almost finished reviewing the Record of Trial in this case and will begin writing the Assignment(s) of Error after the review is complete.
2. *United States v. Edwards*, ACM 40349: The trial transcript is 1505 pages long and the record of trial is comprised of 12 volumes containing 37 prosecution exhibits, 38 defense exhibits, 70 appellate exhibits, and one court exhibit.
3. *United States v. Greene-Watson*, ACM 40293: The trial transcript is 536 pages long and the record of trial is comprised of 11 volumes containing 21 prosecution exhibits, 12 defense exhibits, 46 appellate exhibits, and one court exhibit.
4. *United States v. Emerson*, ACM 40297: The trial transcript is 255 pages long and the record of trial is comprised of four volumes containing seven prosecutions exhibits, seven defense exhibits, 27 appellate exhibits, and zero court exhibits.
5. *United States v. Dugan*, ACM 40320: The trial transcript is 225 pages long and the record

of trial is comprised of four volumes containing six prosecutions exhibits, 22 defense exhibits, 10 appellate exhibits, and zero court exhibits.

Appellant was advised of his right to a timely appeal. 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.

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

Respectfully submitted,



HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division



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 3 April 2023.

Respectfully submitted,

[REDACTED]

HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' OPPOSITION
<i>Appellee,</i>	)	TO APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

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

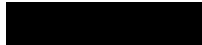
Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its opposition to Appellant's Motion for Enlargement of Time.

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.

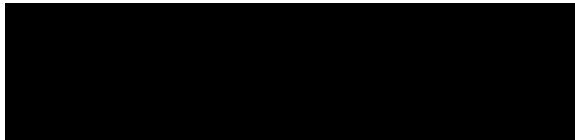


MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force



CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 4 April 2023.



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



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

UNITED STATES	)	No. ACM 40307
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Alexander J. MILLA)	
Technical Sergeant (E-6))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 1

On 4 May 2023, counsel for Appellant submitted a Motion for Enlargement of Time (Eighth)* requesting an additional 30 days to submit Appellant’s assignments of error. The Government opposed the motion.

The court has considered Appellant’s motion, the Government’s opposition, case law, and this court’s Rules of Practice and Procedure. Accordingly, it is by the court on this 8th day of May 2023,

ORDERED:

Appellant’s Motion for Enlargement of Time (Eighth) is **GRANTED**. Appellant shall file any assignments of error not later than **10 June 2023**.

Appellant’s counsel is advised that given the nature of this case and the number of enlargements granted thus far, any further requests for an enlargement of time may necessitate a status conference.



FOR THE COURT



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

* The court notes that Appellant’s Motion was incorrectly labeled as Motion for Enlargement of Time (Seventh).

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION FOR ENLARGEMENT OF
<i>Appellee</i>	)	TIME (SEVENTH)
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	4 May 2023
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **10 June 2023**. The record of trial was docketed with this Court on 15 July 2022. From the date of docketing to the present date, 293 days have elapsed. On the date requested, 330 days will have elapsed.

On 20 September 2021 and 20 April 2022, at a general court-martial convened at Joint Base Andrews, Maryland, Appellant was found guilty, consistent with his pleas, of one specification of assault consummated by a battery in violation of Article 128, Uniform Code of Military Justice (UCMJ); and was found not guilty of one specification of aggravated assault with a dangerous weapon in violation of Article 128, UCMJ, and one specification of attempted murder in violation of Article 80, UCMJ. Record of Trial (ROT), Vol. 1, *Entry of Judgment*, 10 June 2022. The military judge sentenced Appellant to a bad conduct discharge, forty-five days of confinement, reduction in grade to E-4, \$1,000.00 pay per month for one month, and a reprimand. *Id.* The convening authority took no action on the findings or sentence. ROT Vol. 1, *Convening Authority Decision on Action*, 6 June 2022. Appellant is currently not in confinement.

The trial transcript is 210 pages long and the record of trial is comprised of five volumes containing three prosecutions exhibits, nine defense exhibits, 22 appellate exhibits, and zero court exhibits.

Undersigned counsel is currently assigned 16 cases, with 10 initial briefs pending before this Court. Through no fault of Appellant, undersigned counsel has been working on other assigned matters and has yet to complete her 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. Five cases have priority over the present case:

1. *United States v. Edwards*, ACM 40349: The trial transcript is 1505 pages long and the record of trial is comprised of 12 volumes containing 37 prosecution exhibits, 38 defense exhibits, 70 appellate exhibits, and one court exhibit. Counsel is currently reviewing the record of trial and drafting the Assignment of Errors brief.
2. *United States v. Greene-Watson*, ACM 40293: The trial transcript is 536 pages long and the record of trial is comprised of 11 volumes containing 21 prosecution exhibits, 12 defense exhibits, 46 appellate exhibits, and one court exhibit.
3. *United States v. Flores*, ACM 40294: The petition for grant of review is due to the CAAF on 7 June 2023.
4. *United States v. Emerson*, ACM 40297: The trial transcript is 255 pages long and the record of trial is comprised of four volumes containing seven prosecutions exhibits, seven defense exhibits, 27 appellate exhibits, and zero court exhibits.
5. *United States v. Dugan*, ACM 40320: The trial transcript is 225 pages long and the record of trial is comprised of four volumes containing six prosecutions exhibits, 22 defense exhibits, 10 appellate exhibits, and zero court exhibits.

Appellant was advised of his right to a timely appeal. 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.

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

Respectfully submitted,



HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division



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 4 May 2023.

Respectfully submitted,

[REDACTED]

HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' OPPOSITION
<i>Appellee,</i>	)	TO APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.)	
)	
Technical Sergeant (E-6)	)	ACM 40307
ALEXANDER J. MILLA, USAF,)	
<i>Appellant.</i>	)	Panel No. 1
)	

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

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

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.



OLIVIA B. HOFF, Capt, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force



CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 4 May 2023.



OLIVIA B. HOFF, Capt, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

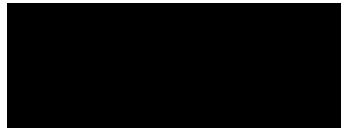
UNITED STATES	)	MOTION TO WITHDRAW FROM
<i>Appellee</i>	)	APPELLATE REVIEW AND
	)	MOTION TO ATTACH
)	
v.	)	Before Panel No. 1
)	
Technical Sergeant (E-6)	)	No. ACM 40307
ALEXANDER J. MILLA,)	
United States Air Force	)	30 May 2023
<i>Appellant</i>)	

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

Pursuant to Rule 16 of this Honorable Court’s Rules of Practice and Procedure, and Rule for Courts-Martial (R.C.M.) 1115, Appellant hereby moves to withdraw his case from appellate review. Appellant has fully consulted with Maj Heather M. Caine, his appellate defense counsel, regarding this motion to withdraw. No person has compelled, coerced, or induced Appellant by force, promises of clemency, or otherwise to withdraw his case from appellate review. Further, pursuant to Rules 23(b) and 23.3(b) of this Honorable Court’s Rules of Practice and Procedure, undersigned counsel asks this Court to attach the two-page document appended to this pleading to Appellant’s Record of Trial. The appended document is necessary to comply with R.C.M. 1115(d) and Rule 16.1 of this Honorable Court’s Rules of Practice and Procedure.

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

Respectfully submitted,

A large black rectangular redaction box covering the signature of Heather M. Caine.

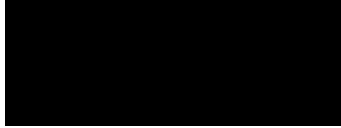
HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

Four horizontal black rectangular redaction bars covering contact information, likely a phone number, email address, and office address.

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 30 May 2023.

Respectfully submitted,

A large black rectangular redaction box covering the signature of Heather M. Caine.

HEATHER M. CAINE, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division

Four horizontal black rectangular redaction boxes covering contact information, likely a phone number, email address, and office address.