

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

UNITED STATES	)	No. ACM 40986
	)	
v.	)	
	)	ORDER
Nicholas J. SCOTT	)	
Staff Sergeant (E-5)	)	
U.S. Air Force	)	
<i>Appellant</i>	)	Panel 2

On 17 June 2026, Appellant's counsel submitted a motion for an Enlargement of Time (First), requesting an additional 60 days to submit Appellant's assignments of error. The Government opposed the motion.

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

Accordingly, it is by the court on this 22d day of June, 2026,

ORDERED:

Appellant's Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **29 August 2026**.

It is further ordered:

Each request for an enlargement of time will be considered on its merits. Appellant's counsel is advised that any subsequent motions for enlargement of time shall include, in addition to matters required under this court's Rules of Practice and Procedure, statements as to: (1) whether Appellant was advised of Appellant's right to a timely appeal, (2) whether Appellant was provided an update of the status of counsel's progress on Appellant's case, (3) whether Appellant was advised of the request for an enlargement of time, and (4) whether Appellant agrees with the request for an enlargement of time.



FOR THE COURT



AGNIESZKA M. GAERTNER, Capt, USAF
Commissioner

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

v.

Staff Sergeant (E-5)

Nicholas J. SCOTT

United States Air Force

Appellant

) **APPELLANT'S MOTION FOR**
) **ENLARGEMENT OF TIME**
) **(FIRST)**

)
) Before Panel No. 2

)
) No. ACM 40986

)
) 17 June 2026

**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 (EOT) to file Assignments of Error. Appellant requests an enlargement for a period of 60 days, which will end on **29 August 2026**. The record of trial was docketed with this Court on 1 May 2026. From the date of docketing to the present date, 47 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,


PAIGE F. MARKLEY DENTON, 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 17 June 2026.



PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel



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
	)	
	)	Before Panel No. 2
Staff Sergeant (E-5)	)	
NICHOLAS J. SCOTT,	)	No. ACM 40986
United States Air Force,	)	
<i>Appellant.</i>	)	22 June 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 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]

HEATHER R. BEZOLD, Maj, USAF
Appellate Government Counsel
Government Trial & Appellate Operations Division

[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 22 June 2026.

[REDACTED]

HEATHER R. BEZOLD, Maj, USAF
Appellate Government Counsel

[REDACTED]

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

v.

Staff Sergeant (E-5)

Nicholas J. SCOTT

United States Air Force

Appellant

**MOTION TO WITHDRAW FROM
APPELLATE REVIEW AND
MOTION TO ATTACH**

Before Panel No. 2

No. ACM 40986

17 August 2026

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

Pursuant to Rules 16 and 23.3(i) of this Honorable Court's Rules of Practice and Procedure and Rule for Courts-Martial (R.C.M.) 1115, Appellant hereby moves this Honorable Court to withdraw his case from appellate review. Appellant also moves this Court to attach one document to his Record of Trial, his signed Department of Defense Form 2330, *Waiver/Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court of Criminal Appeals* (Aug. 2, 2026) [hereinafter DD Form 2330].

Appellant has fully consulted with the undersigned counsel, his appellate defense counsel, regarding this motion and his decision to withdraw from appellate review. 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, Appellant asks this Court to attach his DD Form 2330 to his Record of Trial. This document is necessary to comply with R.C.M. 1115(d) and (e) and Rule 16.1 of this Court's Rules of Practice and Procedure and is properly completed by both Appellant and undersigned counsel.

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

Respectfully submitted,

[REDACTED]

PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel

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

CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing were electronically delivered to the Court and served on the Air Force Government Trial and Appellate Operations Division on 17 August 2026.

[REDACTED]

PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel

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