

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

UNITED STATES)	No. ACM 40803
<i>Appellee</i>)	
)	
v.)	
)	ORDER
Benjamin T. SILLIMAN)	
Airman (E-2))	
U.S. Air Force)	
<i>Appellant</i>)	Panel 2

On 30 May 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 3d day of June, 2025,

ORDERED:

Appellant's Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **6 August 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



CAROL K. JOYCE
Clerk of the Court

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	APPELLANT’S MOTION FOR
<i>Appellee,</i>)	ENLARGEMENT OF TIME (FIRST)
)	
v.)	Before Panel No. 2
)	
Airman (E-2))	No. ACM 40803
BENJAMIN T. SILLIMAN,)	
United States Air Force,)	30 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 (2) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for a first enlargement of time to file an Assignments of Error (AOE). Appellant requests an enlargement for a period of sixty days, which will end on **6 August 2025**. The record of trial was docketed with this Court on 8 April 2025. From the date of docketing to the present date, fifty-two days have elapsed. On the date requested, 120 days will have elapsed.

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


Respectfully submitted,

FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
Office: (240) 612-4770
Email: frederick.johnson.11@us.af.mil

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 30 May 2025.

Respectfully submitted,



FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
Office: (240) 612-4770
Email: frederick.johnson.11@us.af.mil

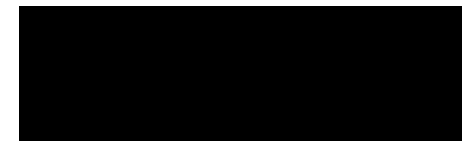
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
)	OF TIME
v.)	
)	
)	Before Panel No. 2
Airman (E-2))	
BENJAMIN T. SILLIMAN,)	No. ACM 40803
United States Air Force,)	
<i>Appellant.</i>)	
)	2 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.

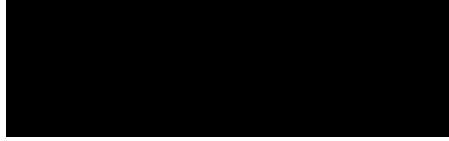
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

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 June 2025.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee,

v.

Airman (E-2)

BENJAMIN T. SILLIMAN

United States Air Force

Appellant

) **APPELLANT’S MOTION FOR**
) **ENLARGEMENT OF TIME**
) **(SECOND)**

) Before Panel No. 2

) No. ACM 40803

) 25 July 2025

**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, Airman (Amn) Benjamin T. Silliman, Appellant, hereby moves for a second enlargement of time (EOT) to file his Assignments of Error (AOE) in the above captioned case. Amn Silliman requests an enlargement for a period of thirty days, which will end on **5 September 2025**. The record of trial was docketed with this Court on 8 April 2025. From the date of docketing to the present date, 108 days have elapsed. On the date requested, 150 days will have elapsed.

On 5 December 2024, a general court-martial composed of a military judge sitting alone at McConnell Air Force Base, Kansas convicted Amn Silliman, consistent with his pleas, of two specifications of wrongful use of cocaine, one specification of wrongful possession of cocaine, and one specification of wrongful distribution of cocaine, all in violation of Article 112a, UCMJ, 10 U.S.C. § 912a. R. at 148; Entry of Judgment. The military judge sentenced him to a total of 11 months confinement, a bad conduct discharge, a reduction to the grade of E-1, and a reprimand. R. at 181; Statement of Trial Results. The convening authority took no action on the findings but suspended the reduction to the grade of E-1 for six months. Convening Authority Decision on Action, 3 January 2025.

The record of trial includes 4 volumes, 7 prosecution exhibits, 2 defense exhibits, 5 appellate exhibits, and 0 court exhibits. The transcript is 182 pages. Amn Silliman is currently confined.

Through no fault of Amn Silliman, undersigned counsel has been unable to review the record and prepare a brief for his case prior to the current deadline to file his AOE. This enlargement of time is necessary to allow undersigned counsel to fully review Amn Silliman's case and advise him regarding potential errors. Amn Silliman was (1) advised of his right to a timely appeal, (2) updated on the status of undersigned counsel's progress on his case, and (3) advised of undersigned counsel's request for an enlargement of time. He asserts his right to a timely appeal but, recognizing the undersigned counsel's recent reassignment as an Appellate Defense Counsel and that she has not yet been able to thoroughly review his case, (4) agrees with the request for an enlargement of time.

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


Respectfully submitted,



PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
(240) 612-4770
paige.markley_denton@us.af.mil

CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing motion were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 25 July 2025.


PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
(240) 612-4770
paige.markley_denton@us.af.mil

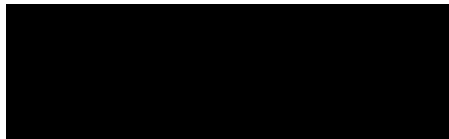
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
)	OF TIME
v.)	
)	
)	Before Panel No. 2
Airman (E-2))	
BENJAMIN T. SILLIMAN,)	No. ACM 40803
United States Air Force,)	
<i>Appellant.</i>)	
)	28 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.

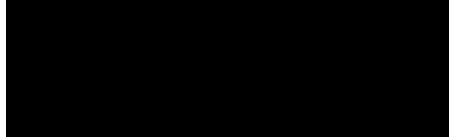
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

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 28 July 2025.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

UNITED STATES,
Appellee,

v.

Airman (E-2)
BENJAMIN T. SILLIMAN,
United States Air Force,
Appellant.

)
)
)
)
)
)
)
)

**MOTION FOR WITHDRAWAL OF
APPELLATE DEFENSE COUNSEL**

Before Panel No. 3

No. ACM 40803

18 August 2025

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 above-captioned case. Major Frederick Johnson is no longer detailed under Article 70, Uniform Code of Military Justice, to represent Appellant. Captain Paige Markley Denton has been detailed as substitute appellate military counsel in undersigned counsel's stead and made her notice of appearance on 25 July 2025. Counsel have completed a thorough turnover of the record.

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,



FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
Office: (240) 612-4770
E-Mail: frederick.johnson.11@us.af.mil

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 18 August 2025.

Respectfully Submitted,



FREDERICK J. JOHNSON, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
Office: (240) 612-4770
E-Mail: frederick.johnson.11@us.af.mil

UNITED STATES) APPELLANT’S MOTION FOR
Appellee) ENLARGEMENT OF TIME
) (THIRD)
v.)
) Before Panel No. 3
Airman (E-2))
BENJAMIN T. SILLIMAN) No. ACM 40803
United States Air Force)
Appellant) 26 August 2025

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Airman (Amn) Benjamin T. Silliman, Appellant, hereby moves for a third enlargement of time (EOT) to file his Assignments of Error (AOE) in the above captioned case. Amn Silliman requests an enlargement for a period of thirty days, which will end on **5 October 2025**. The record of trial was docketed with this Court on 8 April 2025. From the date of docketing to the present date, 140 days have elapsed. On the date requested, 180 days will have elapsed.

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The record of trial includes 4 volumes, 7 prosecution exhibits, 2 defense exhibits, 5 appellate exhibits, and 0 court exhibits. The transcript is 182 pages. Amn Silliman is currently confined.

Through no fault of Amn Silliman, undersigned counsel has been unable to finalize her review of the record and prepare a brief for his case prior to the current deadline to file his brief. This enlargement of time is necessary to allow undersigned counsel the time needed to fully review Amn Silliman's case and advise him regarding potential errors. Amn Silliman was (1) advised of his right to a timely appeal, (2) updated on the status of undersigned counsel's progress on his case, and (3) advised of undersigned counsel's request for an enlargement of time. He asserts his right to a timely appeal but, recognizing the undersigned counsel's recent reassignment as an Appellate Defense Counsel and that she has not yet been able to finalize her review his case, (4) agrees with the request for an enlargement of time.

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

Respectfully submitted,



PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
(240) 612-4770
paige.markley_denton@us.af.mil

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 26 August 2025.



PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762-6604
(240) 612-4770
paige.markley_denton@us.af.mil

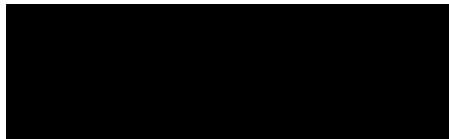
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>)	OPPOSITION TO APPELLANT'S
)	MOTION FOR ENLARGEMENT
)	OF TIME
v.)	
)	
)	Before Panel No. 3
Airman (E-2))	
BENJAMIN T. SILLIMAN,)	No. ACM 40803
United States Air Force,)	
<i>Appellant.</i>)	
)	28 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.

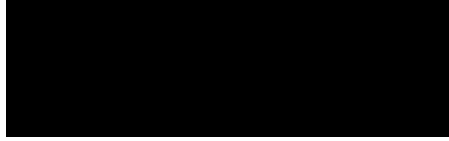
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

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 28 August 2025.



VANESSA BAIROS, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

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

UNITED STATES)	No. ACM 40803
<i>Appellee</i>)	
)	
v.)	
)	NOTICE OF PANEL CHANGE
Benjamin T. SILLIMAN)	
Airman (E-2))	
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



OLGA STANFORD, Capt, USAF
Chief Commissioner

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

UNITED STATES)	No. ACM 40803
<i>Appellee</i>)	
)	
v.)	
)	NOTICE OF PANEL CHANGE
Benjamin T. SILLIMAN)	
Airman (E-2))	
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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

Appellee

v.

Airman (E-2)

Benjamin T. SILLIMAN

United States Air Force

Appellant

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

Before Panel No. 3

No. ACM 40803

4 October 2025

**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, Airman (Amn) Benjamin T. Silliman moves to withdraw his case from appellate review. Amn Silliman has fully consulted with Capt Paige Markley Denton, his appellate defense counsel, regarding this motion and his decision to withdraw. No person has compelled, coerced, or induced Amn Silliman 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, Amn Silliman asks this Court to attach the appended, two-page document to the record of this proceeding. The appended document is Amn Silliman's 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*. 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.

WHEREFORE, Amn Silliman 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,



PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews, NAF, MD 20762
240-612-4770
paige.markley_denton@us.af.mil

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 4 October 2025.



PAIGE F. MARKLEY DENTON, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Road, Suite 1100
Joint Base Andrews, NAF, MD 20762
240-612-4770
paige.markley_denton@us.af.mil