

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

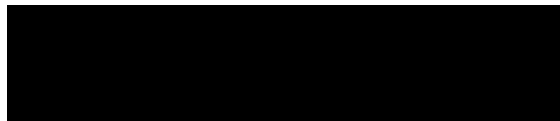
UNITED STATES,	)	APPELLANT’S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(FIRST)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	25 March 2024

**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, Airman First Class Diego Valadez, Appellant, hereby moves for an enlargement of time to file his assignments of error. Appellant requests an enlargement for a period of 60 days, which will end on **5 June 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 48 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,

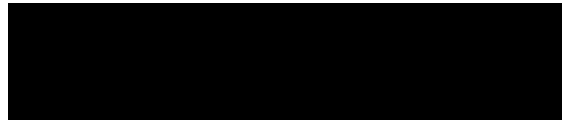


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CERTIFICATE OF FILING AND SERVICE

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 25 March 2024.

Respectfully submitted,



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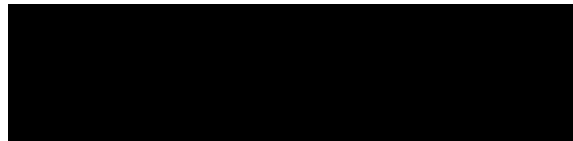
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

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



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
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 25 March 2024.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force
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**UNITED STATES AIR FORCE
COURT OF CRIMINAL APPEALS**

UNITED STATES <i>Appellee</i>)	No. ACM 40553
)	
v.)	
	)	ORDER
Diego VALADEZ Airman First Class (E-3) U.S. Air Force <i>Appellant</i>	)	Panel 3

On 28 May 2024, counsel for Appellant submitted a Motion for Enlargement of Time (Second) 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 31st day of May, 2024,

ORDERED:

Appellant's Motion for Enlargement of Time (Second) is **GRANTED**. Appellant shall file any assignments of error not later than **5 July 2024**.

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 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.

Appellant's counsel are further advised that any future requests for enlargements of time that, if granted, would expire more than 360 days after docketing, will not be granted absent exceptional circumstances.



FOR THE COURT

[Handwritten signature]
[Redacted signature]

FLEMING E. KEEFE, Capt, USAF
Deputy 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
	)	(SECOND)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	28 May 2024

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

Pursuant to Rules 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Airman First Class (A1C) Diego Valadez, Appellant, hereby moves for a second enlargement of time to file his assignments of error. A1C Valadez requests an enlargement for a period of 60 days, which will end on **5 July 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 112 days have elapsed. On the date requested, 150 days will have elapsed.

On 12 December 2022 and 10 July 2023, A1C Valadez was tried by a general court-martial composed of a military judge alone at Aviano Air Base, Italy. (R. at 1, 16, 23.) On 10 July 2023, consistent with A1C Valadez’s pleas, the military judge found A1C Valadez guilty of the lesser included offense of assault consummated by battery in Specification 1 of Charge II, assault consummated by battery in Specification 2 of Charge II, Charge II, domestic violence in Specifications 1 through 7 of Charge III, and Charge III. (R. at 99.) On the same day, the military judge sentenced A1C Valadez to a reprimand, reduction to the grade of E-1, 42 months’ confinement, and a dishonorable discharge. (R. at 150.)

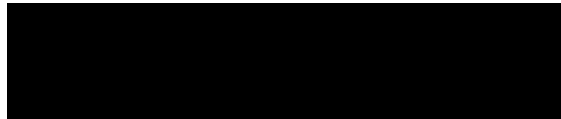
The convening authority took no action on the findings. Convening Authority Decision on Action, 4 August 2023. The convening authority suspended the adjudged reduction in rank for

the benefit of the accused's dependent. *Id.* The convening authority denied A1C Valadez's requests for deferment. *Id.* The record of trial consists of four volumes, six appellate exhibits, two prosecution exhibits, five defense exhibits, and two court exhibits. The transcript is 151 pages. A1C Valadez is confined.

Through no fault of A1C Valadez, undersigned counsel has been working on other assigned matters and has yet to complete her review of his case. This enlargement of time is necessary to allow undersigned counsel to fully review his case and advise him regarding potential errors.

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant the requested enlargement of time.

Respectfully submitted,

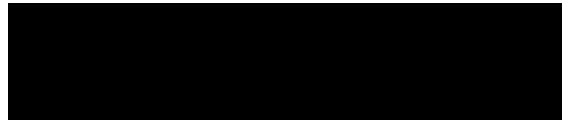


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CERTIFICATE OF FILING AND SERVICE

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 28 May 2024.

Respectfully submitted,



SAMANTHA P. GOLSETH, Maj, USAF
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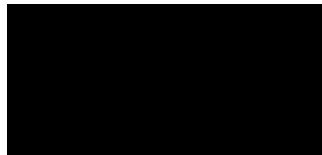
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

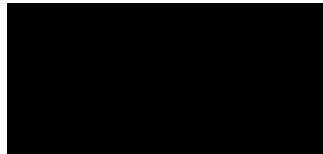
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



BRITTANY M. SPEIRS, Maj, USAFR
Appellate Government Counsel
Government Trial and Appellate Operations Division
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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 29 May 2024.



BRITTANY M. SPEIRS, Maj, USAFR
Appellate Government Counsel
Government Trial and Appellate Operations Division
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United States Air Force
(240) 612-4800

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	APPELLANT’S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(THIRD)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	25 June 2024

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

Pursuant to Rules 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Airman First Class (A1C) Diego Valadez, Appellant, hereby moves for a third enlargement of time to file his assignments of error. A1C Valadez requests an enlargement for a period of 30 days, which will end on **4 August 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 140 days have elapsed. On the date requested, 180 days will have elapsed.

On 12 December 2022 and 10 July 2023, A1C Valadez was tried by a general court-martial composed of a military judge alone at Aviano Air Base, Italy. (R. at 1, 16, 23.) On 10 July 2023, consistent with A1C Valadez’s pleas, the military judge found A1C Valadez guilty of the lesser included offense of assault consummated by battery in Specification 1 of Charge II, assault consummated by battery in Specification 2 of Charge II, Charge II, domestic violence in Specifications 1 through 7 of Charge III, and Charge III. (R. at 99.) On the same day, the military judge sentenced A1C Valadez to a reprimand, reduction to the grade of E-1, 42 months’ confinement, and a dishonorable discharge. (R. at 150.)

The convening authority took no action on the findings. Convening Authority Decision on Action, 4 August 2023. The convening authority suspended the adjudged reduction in rank for

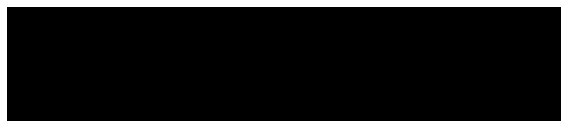
the benefit of the accused's dependent. *Id.* The convening authority denied A1C Valadez's requests for deferment. *Id.* The record of trial consists of four volumes, six appellate exhibits, two prosecution exhibits, five defense exhibits, and two court exhibits. The transcript is 151 pages. A1C Valadez is confined.

Through no fault of A1C Valadez, undersigned counsel has been working on other assigned matters and has yet to complete her review of his case. This enlargement of time is necessary to allow undersigned counsel to fully review his case and advise him regarding potential errors.

A1C Valadez was (1) advised of his right to a timely appeal, (2) provided an update on the status of undersigned counsel's progress on his case, (3) advised of this request for an enlargement of time, and (4) agrees with this request for an enlargement of time.

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant the requested enlargement of time.

Respectfully submitted,

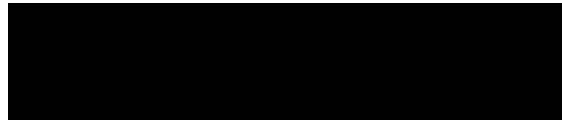


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Respectfully submitted,



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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
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

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



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
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 25 June 2024.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
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United States Air Force
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IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	APPELLANT’S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(FOURTH)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	26 July 2024

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

Pursuant to Rules 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Airman First Class (A1C) Diego Valadez, Appellant, hereby moves for a fourth enlargement of time to file his assignments of error. A1C Valadez requests an enlargement for a period of 30 days, which will end on **3 September 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 171 days have elapsed. On the date requested, 210 days will have elapsed.

On 12 December 2022 and 10 July 2023, A1C Valadez was tried by a general court-martial composed of a military judge alone at Aviano Air Base, Italy. (R. at 1, 16, 23.) On 10 July 2023, consistent with A1C Valadez’s pleas, the military judge found A1C Valadez guilty of the lesser included offense of assault consummated by battery in Specification 1 of Charge II, assault consummated by battery in Specification 2 of Charge II, Charge II, domestic violence in Specifications 1 through 7 of Charge III, and Charge III. (R. at 99.) On the same day, the military judge sentenced A1C Valadez to a reprimand, reduction to the grade of E-1, 42 months’ confinement, and a dishonorable discharge. (R. at 150.)

The convening authority took no action on the findings. Convening Authority Decision on Action, 4 August 2023. The convening authority suspended the adjudged reduction in rank for

the benefit of the accused's dependent. *Id.* The convening authority denied A1C Valadez's requests for deferment. *Id.* The record of trial consists of four volumes, six appellate exhibits, two prosecution exhibits, five defense exhibits, and two court exhibits. The transcript is 151 pages. A1C Valadez is confined.

Through no fault of A1C Valadez, undersigned counsel has been working on other assigned matters and has yet to complete her review of his case. This enlargement of time is necessary to allow undersigned counsel to fully review his case and advise him regarding potential errors.

A1C Valadez was (1) advised of his right to a timely appeal, (2) provided an update on the status of undersigned counsel's progress on his case, (3) advised of this request for an enlargement of time, and (4) agrees with this request for an enlargement of time.

Undersigned counsel also provides the following information: undersigned counsel currently represents 29 clients and is presently assigned 17 cases pending initial brief before this Court. Ten cases currently have priority over the present case:

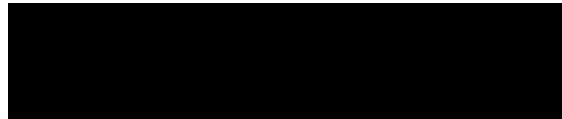
1. *United States v. George*, No. ACM 40397 (before the United States Court of Appeals for the Armed Forces (CAAF)) – Undersigned counsel is drafting the appellant's petition and supplemental brief for filing on or before 1 August 2024.
2. *United States v. Trovatore*, No. ACM 40505 – The record of trial consists of 12 prosecution exhibits, 2 appellate exhibits, and 2 court exhibits. The transcript is 175 pages. The appellant is not confined. His case was docketed before this Court on 8 August 2023. Undersigned counsel has completed her review of the record of trial and is drafting the appellant's assignment of error for filing on or before 2 August 2024.

3. *United States v. Donley*, No. ACM 40350 (before CAAF) – Undersigned counsel is drafting the appellant’s petition and supplemental brief for filing on or before 5 August 2024.
4. *United States v. Simmons*, No. ACM 40462 (f rev) – The record of trial consists of 5 prosecution exhibits, 5 defense exhibits, and 9 appellate exhibits. The transcript is 104 pages. The appellant is not confined. His case was re-docketed before this Court on 15 August 2023, after this Court *sua sponte* remanded his record for completion. Undersigned counsel anticipates filing the appellant’s brief by or before 9 August 2024.
5. *United States v. Benoit, Jr.*, No. ACM 40508 – The record of trial consists of 11 prosecution exhibits, 12 defense exhibits, 58 appellate exhibits, and 2 court exhibits. The transcript is 678 pages. The appellant is not confined. His case was docketed before this Court on 15 August 2023. Undersigned counsel anticipates filing the appellant’s brief by or before 8 September 2024 (accounting for undersigned counsel’s approved OCONUS leave from 11-16 August 2024).
6. *United States v. Cole*, No. ACM 40189 (rem) – The appellant’s case was remanded to this Court by the CAAF to reassess the sentence or to order a rehearing on the sentence. Undersigned counsel anticipates filing the appellant’s brief by or before 26 August 2024.
7. *United States v. Gubicza*, No. ACM 40464 – Due not later than 26 August 2024, before the CAAF, undersigned counsel will file a petition and supplemental brief. Undersigned counsel needs time to draft the appellant’s supplemental brief and anticipates she may request a 20-day extension from CAAF until 15 September 2024.

8. *United States v. Casillas*, No. ACM 40551 – The record of trial consists of 19 prosecution exhibits, 4 defense exhibits, and 65 appellate exhibits. The transcript is 1627 pages. The appellant is confined.
9. *United States v. Bio*, No. ACM 24006 – The record of trial consists of 3 prosecution exhibits, 17 defense exhibits, and 4 appellate exhibits. The transcript is 132 pages. The appellant is not confined.
10. *United States v. Hagen*, No. ACM 40561 – The record of trial consists of 8 prosecution exhibits, 8 defense exhibits, and 48 appellate exhibits. The transcript is 817 pages. In total, the electronic record of trial is 1,786 pages and contains multiple media files. The appellant is not confined.

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant the requested enlargement of time.

Respectfully submitted,

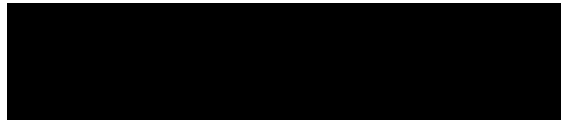


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Respectfully submitted,



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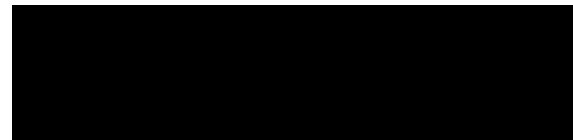
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

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



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force
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I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 29 July 2024.



MARY ELLEN PAYNE
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IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	APPELLANT’S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(FIFTH)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	23 August 2024

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

Pursuant to Rules 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Airman First Class (A1C) Diego Valadez, Appellant, hereby moves for a fifth enlargement of time to file his assignments of error. A1C Valadez requests an enlargement for a period of 30 days, which will end on **3 October 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 199 days have elapsed. On the date requested, 240 days will have elapsed.

On 12 December 2022 and 10 July 2023, A1C Valadez was tried by a general court-martial composed of a military judge alone at Aviano Air Base, Italy. (R. at 1, 16, 23.) On 10 July 2023, consistent with A1C Valadez’s pleas, the military judge found A1C Valadez guilty of the lesser included offense of assault consummated by battery in Specification 1 of Charge II; assault consummated by battery in Specification 2 of Charge II; Charge II; domestic violence in Specifications 1 through 7 of Charge III; and Charge III. (R. at 99.) On the same day, the military judge sentenced A1C Valadez to a reprimand, reduction to the grade of E-1, 42 months’ confinement, and a dishonorable discharge. (R. at 150.)

The convening authority took no action on the findings. Convening Authority Decision on Action, 4 August 2023. The convening authority suspended the adjudged reduction in rank for

the benefit of the accused's dependent. *Id.* The convening authority denied A1C Valadez's requests for deferment. *Id.* The record of trial consists of four volumes, six appellate exhibits, two prosecution exhibits, five defense exhibits, and two court exhibits. The transcript is 151 pages. A1C Valadez is confined.

Through no fault of A1C Valadez, undersigned counsel has been working on other assigned matters and has yet to complete her review of his case. This enlargement of time is necessary to allow undersigned counsel to fully review his case and advise him regarding potential errors.

A1C Valadez was (1) advised of his right to a timely appeal, (2) provided an update on the status of undersigned counsel's progress on his case, (3) advised of the request for an enlargement of time, and (4) agrees with the request for an enlargement of time.

Undersigned counsel also provides the following information: undersigned counsel currently represents 26 clients and is presently assigned 15 cases pending initial brief before this Court. Five cases currently have priority over the present case:

1. *United States v. Benoit, Jr.*, No. ACM 40508 – The record of trial consists of 11 prosecution exhibits, 12 defense exhibits, 58 appellate exhibits, and 2 court exhibits. The transcript is 678 pages. The appellant is not confined. His case was docketed before this Court on 15 August 2023. Undersigned counsel is currently reviewing this record of trial and anticipates filing the appellant's brief by 9 September 2024.
2. *United States v. Cole*, No. ACM 40189 (rem) – The appellant's case was remanded to this Court by the CAAF to reassess the sentence or to order a rehearing on the sentence. Undersigned counsel anticipates filing the appellant's brief by or before 25 September 2024.

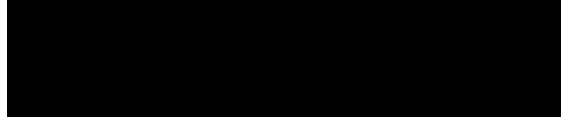
3. *United States v. Casillas*, No. ACM 40551 – The record of trial consists of 19 prosecution exhibits, 4 defense exhibits, and 65 appellate exhibits. The transcript is 1627 pages. The appellant is confined. His case was docketed before this Court on 14 December 2023. Undersigned counsel is identifying potential issues and anticipates beginning her full review in September 2024.
4. *United States v. Dawson*, No. ACM 24041 – The record of trial consists of 13 prosecution exhibits, 9 defense exhibits, 1 court exhibit, and 41 appellate exhibits. The transcript is 761 pages. The appellant is not confined. Undersigned counsel has prioritized this case above others because it was docketed before this Court on 4 October 2023. This Court and undersigned counsel received the verbatim transcript on 9 August 2024.
5. *United States v. Hagen*, No. ACM 40561 – The record of trial consists of 8 prosecution exhibits, 8 defense exhibits, and 48 appellate exhibits. The transcript is 817 pages. In total, the electronic record of trial is 1,786 pages and contains multiple media files. The appellant is not confined. His case was docketed before this Court on 26 January 2024.

In addition to the progress noted above since requesting the fourth enlargement of time, undersigned counsel filed petitions and supplemental briefing before the United States Court of Appeals for the Armed Forces (CAAF) in *United States v. George*, USCA Dkt. No. 24-0206/AF, No. ACM 40397; *United States v. Donley*, USCA Dkt. No. 24-0209/AF, No. ACM 40350; and *United States v. Gubicza*, USCA Dkt. No. ____/AF, No. ACM 40464. Undersigned counsel also filed a brief before this Court in *United States v. Trovatore*, No. ACM 40505. In addition, she fully reviewed the records of trial and advised the appellants in *United States v. Simmons*, No.

ACM 40462 (f rev), and *United States v. Bio*, No. ACM 24006, before the appellants withdrew from appellate review. Undersigned counsel was also on leave from 11-16 August 2024.

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant the requested enlargement of time.

Respectfully submitted,

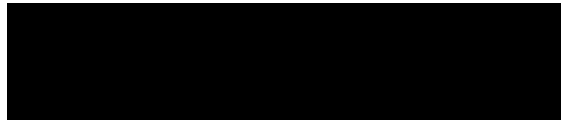


SAMANTHA P. GOLSETH, Maj, USAF
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CERTIFICATE OF FILING AND SERVICE

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 23 August 2024.

Respectfully submitted,



SAMANTHA P. GOLSETH, Maj, USAF
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Email: samantha.golseth@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
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

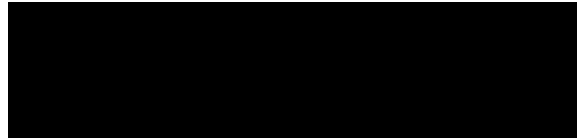
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
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 27 August 2024.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force
(240) 612-4800

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	APPELLANT’S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(SIXTH)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	25 September 2024

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

Pursuant to Rules 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Airman First Class (A1C) Diego Valadez, Appellant, hereby moves for a sixth enlargement of time to file his assignments of error. A1C Valadez requests an enlargement for a period of 30 days, which will end on **2 November 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 232 days have elapsed. On the date requested, 270 days will have elapsed.

On 12 December 2022 and 10 July 2023, A1C Valadez was tried by a general court-martial composed of a military judge alone at Aviano Air Base, Italy. (R. at 1, 16, 23.) On 10 July 2023, consistent with A1C Valadez’s pleas, the military judge found A1C Valadez guilty of the lesser included offense of assault consummated by battery in Specification 1 of Charge II; assault consummated by battery in Specification 2 of Charge II; Charge II; domestic violence in Specifications 1 through 7 of Charge III; and Charge III. (R. at 99.) On the same day, the military judge sentenced A1C Valadez to a reprimand, reduction to the grade of E-1, 42 months’ confinement, and a dishonorable discharge. (R. at 150.)

The convening authority took no action on the findings. Convening Authority Decision on Action, 4 August 2023. The convening authority suspended the adjudged reduction in rank for

the benefit of the accused's dependent. *Id.* The convening authority denied A1C Valadez's requests for deferment. *Id.* The record of trial consists of four volumes, six appellate exhibits, two prosecution exhibits, five defense exhibits, and two court exhibits. The transcript is 151 pages. A1C Valadez is confined.

Through no fault of A1C Valadez, undersigned counsel has been working on other assigned matters and has yet to complete her review of his case. This enlargement of time is necessary to allow undersigned counsel to fully review his case and advise him regarding potential errors.

A1C Valadez was (1) advised of his right to a timely appeal, (2) provided an update on the status of undersigned counsel's progress on his case, (3) advised of the request for an enlargement of time, and (4) agrees with the request for an enlargement of time.

Undersigned counsel currently represents 26 clients and is presently assigned 13 cases pending initial brief before this Court. Four cases currently have priority over the present case:

1. *United States v. George*, USCA Dkt. No. 24-0206/AF, No. ACM 40397 – The United States Court of Appeals for the Armed Forces granted review and has ordered briefing on one issue. The appellant's grant brief and the joint appendix are due on 8 October 2024.
2. *United States v. Casillas*, No. ACM 40551 – The record of trial consists of 19 prosecution exhibits, 4 defense exhibits, and 65 appellate exhibits. The transcript is 1627 pages. The appellant is confined. His case was docketed before this Court on 14 December 2023.
3. *United States v. Dawson*, No. ACM 24041 – The record of trial consists of 13 prosecution exhibits, 9 defense exhibits, 1 court exhibit, and 41 appellate exhibits. The transcript is 761 pages. The appellant is not confined. Undersigned counsel has

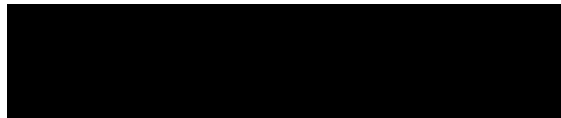
prioritized this case above others because it was docketed before this Court on 4 October 2023. This Court and undersigned counsel received the verbatim transcript on 9 August 2024.

4. *United States v. Hagen*, No. ACM 40561 – The record of trial consists of 8 prosecution exhibits, 8 defense exhibits, and 48 appellate exhibits. The transcript is 817 pages. In total, the electronic record of trial is 1,786 pages and contains multiple media files. The appellant is not confined. His case was docketed before this Court on 26 January 2024.

Since requesting A1C Valadez’s fifth enlargement of time, undersigned counsel completed and filed briefs in *United States v. Benoit, Jr.*, No. ACM 40508; *United States v. Rocha*, No. ACM 40134 (rem); and *United States v. Cole*, No. ACM 40189 (rem). During the requested enlargement of time, undersigned counsel will be (1) attending a Joint Appellate Advocacy Training at Fort Belvoir, Virginia, on 26-27 September 2024; (2) preparing for and participating as a moot judge in at least five moot arguments; and (3) on preauthorized leave outside of the local area (over Indigenous Peoples’ Day weekend) on 9-14 October 2024.

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant the requested enlargement of time.

Respectfully submitted,

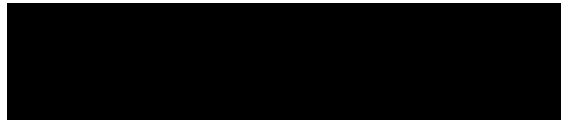


SAMANTHA P. GOLSETH, Maj, USAF
Appellate Defense Counsel
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Email: samantha.golseth@us.af.mil

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 25 September 2024.

Respectfully submitted,



SAMANTHA P. GOLSETH, Maj, USAF
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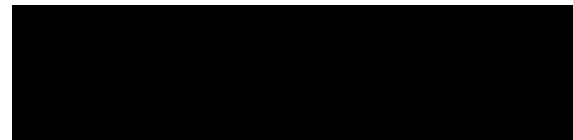
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

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



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
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 30 September 2024.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force
(240) 612-4800

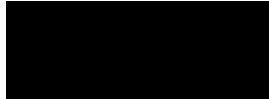
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	NOTICE OF APPEARANCE
<i>Appellee,</i>)	
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	20 October 2024

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

COMES NOW the undersigned counsel, pursuant to Rule 13 of this Honorable Court's Rules of Practice and Procedure, and enters an appearance as counsel for Appellant.

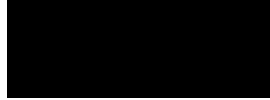
Respectfully submitted,



REBECCA J. SAATHOFF, Maj, USAF
Appellate Defense Counsel
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Office: (240) 612-4770
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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 20 October 2024.



REBECCA J. SAATHOFF, Maj, USAF
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IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	APPELLANT’S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(SEVENTH)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	22 October 2024

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

Pursuant to Rules 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Airman First Class (A1C) Diego Valadez, Appellant, hereby moves for an enlargement of time to file his assignments of error. A1C Valadez requests an enlargement for a period of 30 days, which will end on **2 December 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 259 days have elapsed. On the date requested, 300 days will have elapsed.

On 12 December 2022 and 10 July 2023, A1C Valadez was tried by a general court-martial composed of a military judge alone at Aviano Air Base, Italy. (R. at 1, 16, 23.) On 10 July 2023, consistent with A1C Valadez’s pleas, the military judge found A1C Valadez guilty of the lesser included offense of assault consummated by battery in Specification 1 of Charge II; assault consummated by battery in Specification 2 of Charge II; Charge II; domestic violence in Specifications 1 through 7 of Charge III; and Charge III. (R. at 99.) On the same day, the military judge sentenced A1C Valadez to a reprimand, reduction to the grade of E-1, 42 months’ confinement, and a dishonorable discharge. (R. at 150.)

The convening authority took no action on the findings. Convening Authority Decision on Action, 4 August 2023. The convening authority suspended the adjudged reduction in rank for

the benefit of the accused's dependent. *Id.* The convening authority denied A1C Valadez's requests for deferment. *Id.* The record of trial consists of four volumes, six appellate exhibits, two prosecution exhibits, five defense exhibits, and two court exhibits. The transcript is 151 pages. A1C Valadez is confined.

Undersigned counsel currently represents 3 clients and is presently assigned 2 cases pending initial brief before this Court.¹ This case is her top priority case.

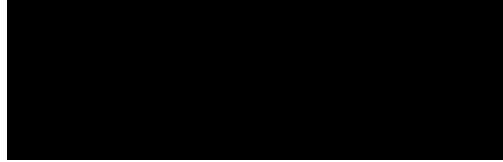
Through no fault of A1C Valadez, undersigned counsel has yet to complete her review of his case. Undersigned counsel is a reservist and has a full-time civilian job in the private sector serving clients. She has just been assigned to the case and received the Record of Trial. Counsel has Inactive Duty Training (IDT) days scheduled in November and December to work on cases. This enlargement of time is necessary to allow undersigned counsel to fully review A1C Valadez's case and advise him regarding potential errors.

A1C Valadez was (1) advised of his right to a timely appeal, (2) provided an update on the status of undersigned counsel's progress on his case, (3) advised of the request for an enlargement of time, and (4) agrees with the request for an enlargement of time.

¹ *Maj Samantha Golseth is currently assigned to this case and has a pending motion to withdraw as counsel before this Honorable Court. Until such a time as her motion is granted, undersigned counsel is lead appellate counsel. As the case is higher on undersigned counsel's priority case list than it is on Maj Golseth's priority case list, only undersigned counsel's list is provided, to provide the most accurate view of the case's prioritization and counsel's ability to complete review on the case.*

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant the requested enlargement of time.

Respectfully submitted,

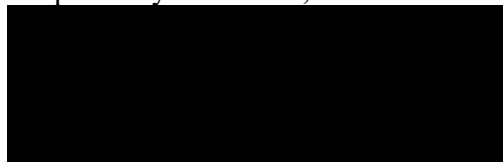


REBECCA J. SAATHOFF, Maj, USAF
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CERTIFICATE OF FILING AND SERVICE

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 22 October 2024.

Respectfully submitted,



REBECCA J. SAATHOFF, Maj, USAF
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Office: (240) 612-4770
Email: rebecca.saathoff.2@us.af.mil

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES'
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

The United States respectfully maintains that short of a death penalty case or other extraordinary circumstances, it should not take any appellant nearly a year to submit an assignment of error to this Court. If Appellant's new delay request is granted, the defense delay in this case will be 300 days in length. Appellant's nearly year long delay practically ensures this Court will not be able to issue a decision that complies with our superior Court's appellate processing standards. Appellant has already consumed almost two thirds of the 18 month standard for this Court to issue a decision, which only leaves about 8 months combined for the United States and this Court to perform their separate statutory responsibilities. It appears that Appellant's counsel has not completed review of the record of trial at this late stage of the appellate process.

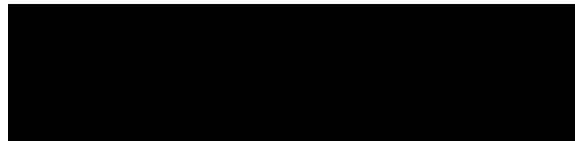
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
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 23 October 2024.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force
(240) 612-4800

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	APPELLANT’S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(EIGHTH)
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	23 November 2024

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

Pursuant to Rules 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Airman First Class (A1C) Diego Valadez, Appellant, hereby moves for an enlargement of time to file his assignments of error. A1C Valadez requests an enlargement for a period of 30 days, which will end on **1 January 2024**. The record of trial was docketed with this Court on 6 February 2024. From the date of docketing to the present date, 291 days have elapsed. On the date requested, 330 days will have elapsed.

On 12 December 2022 and 10 July 2023, A1C Valadez was tried by a general court-martial composed of a military judge alone at Aviano Air Base, Italy. (R. at 1, 16, 23.) On 10 July 2023, consistent with A1C Valadez’s pleas, the military judge found A1C Valadez guilty of the lesser included offense of assault consummated by battery in Specification 1 of Charge II; assault consummated by battery in Specification 2 of Charge II; Charge II; domestic violence in Specifications 1 through 7 of Charge III; and Charge III. (R. at 99.) On the same day, the military judge sentenced A1C Valadez to a reprimand, reduction to the grade of E-1, 42 months’ confinement, and a dishonorable discharge. (R. at 150.)

The convening authority took no action on the findings. Convening Authority Decision on Action, 4 August 2023. The convening authority suspended the adjudged reduction in rank for

the benefit of the accused's dependent. *Id.* The convening authority denied A1C Valadez's requests for deferment. *Id.* The record of trial consists of four volumes, six appellate exhibits, two prosecution exhibits, five defense exhibits, and two court exhibits. The transcript is 151 pages. A1C Valadez is confined.

Through no fault of A1C Valadez, undersigned counsel has yet to complete her review of his case. Undersigned counsel is a reservist and has a full-time civilian job in the private sector serving clients. She has begun, but not yet finished, her review of the Record of Trial. Counsel has Inactive Duty Training (IDT) days scheduled in December and January to work on cases. This enlargement of time is necessary to allow undersigned counsel to fully review A1C Valadez's case and advise him regarding potential errors.

A1C Valadez was (1) advised of his right to a timely appeal, (2) provided an update on the status of undersigned counsel's progress on his case, (3) advised of the request for an enlargement of time, and (4) agrees with the request for an enlargement of time.

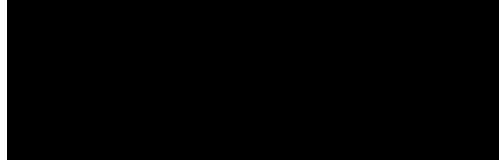
Undersigned counsel currently represents 3 clients and is presently assigned 2 cases pending initial brief before this Court, and 1 case pending appeal to the Court of Appeal for the Armed Forces ("CAAF"). This case is counsel's second priority case overall, and first priority before this court. The following case has priority over the present case:

1. *United States v. Dolehanty* (ACM No. 40510): The Record of Trial consists of four volumes, seven prosecution exhibits, one defense exhibit, and nine appellate exhibits; the transcript is 248 pages. The Appellant is not confined. This honorable court recently issued a decision in this case, and it is now pending appeal to CAAF. Undersigned counsel has begun her draft of the appeal.

Since the last request for an Expansion of Time in this case, undersigned counsel has used IDT days to further her review of the *Valadez* record of trial, advise her client in *Dolehanty*, and begin the draft appellate brief in that case.

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant the requested enlargement of time.

Respectfully submitted,

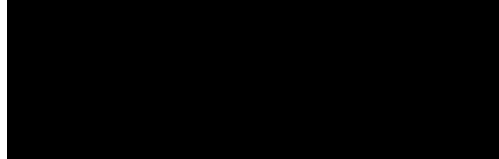


REBECCA J. SAATHOFF, Maj, USAF
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CERTIFICATE OF FILING AND SERVICE

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 23 November 2024.

Respectfully submitted,



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IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

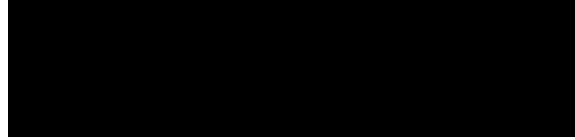
UNITED STATES,)	UNITED STATES’
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT’S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM 40553
DIEGO VALADEZ, USAF,)	
<i>Appellant.</i>	)	Panel No. 3
)	

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

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

The United States respectfully maintains that short of a death penalty case or other extraordinary circumstances, it should not take any appellant nearly a year to submit an assignment of error to this Court. If Appellant’s new delay request is granted, the defense delay in this case will be 330 days in length. Appellant’s nearly year long delay practically ensures this Court will not be able to issue a decision that complies with our superior Court’s appellate processing standards. Appellant has already consumed almost two thirds of the 18 month standard for this Court to issue a decision, which only leaves about 7 months combined for the United States and this Court to perform their separate statutory responsibilities. It appears that Appellant’s counsel has not completed review of the record of trial at this late stage of the appellate process.

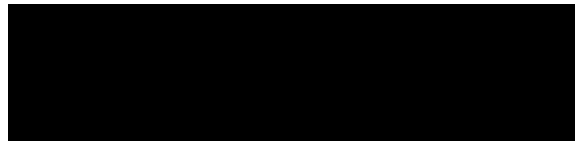
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
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 25 November 2024.



MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force
(240) 612-4800

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	MOTION FOR WITHDRAWAL OF
<i>Appellee,</i>	)	APPELLATE DEFENSE COUNSEL
)	
v.	)	Before Panel No. 3
)	
Airman First Class (E-3)	)	No. ACM 40553
DIEGO VALADEZ,)	
United States Air Force,	)	21 October 2024
<i>Appellant.</i>)	

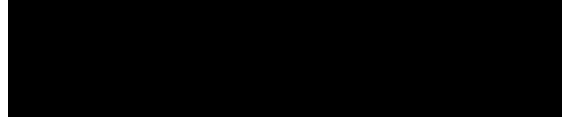
**TO THE HONORABLE, THE JUDGES OF THE
UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS:**

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 above-captioned case. Major Rebecca Saathoff has been detailed as substitute counsel in undersigned counsel’s stead and provided her notice of appearance on 20 October 2024. A thorough turnover of the record between counsel has been completed. Maj Saathoff is able to review A1C Diego Valadez’s record of trial sooner than undersigned counsel. A1C Valadez’s case is Maj Saathoff’s first priority and undersigned counsel’s fifth priority.

A1C Valadez 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 A1C Valadez following its filing.

WHEREFORE, A1C Valadez respectfully requests that this Honorable Court grant this motion.

Respectfully submitted,



SAMANTHA P. GOLSETH, Maj, USAF
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Air Force Appellate Defense Division
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Email: samantha.golseth@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 Appellate Government Division on 21 October 2024.

Respectfully submitted,



SAMANTHA P. GOLSETH, Maj, USAF
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IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	MOTION TO WITHDRAW FROM
<i>Appellee,</i>	)	APPELLATE REVIEW AND ATTACH
v.)	
	)	Before Panel No. 3
Airman First Class (E-3))	
DIEGO VALADEZ,	)	No. ACM 40553
United States Air Force,)	
<i>Appellant.</i>	)	2 January 2025

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

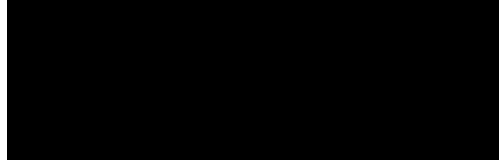
Pursuant to Rule 16 of the Rules of Practice and Procedure of the United States Air Force Court of Criminal Appeals and Rule for Courts-Martial (R.C.M.) 1115, Appellant moves to withdraw his case from appellate review. Appellant has fully consulted with Major Rebecca Saathoff, his appellate defense counsel, 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), undersigned counsel asks this Court to attach the two-page document appended to this pleading to the record of this proceeding. The appended document, Appellant’s completed DD Form 2330, *Waiver/Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court of Criminal Appeals*, is necessary to comply with R.C.M. 1115(d) and Rule 16.1 of this Honorable Court’s Rules of Practice and Procedure. Counsel respectfully requests to withdraw the previously filed Motion to Withdraw from Appellate Review and Attach, filed at approximately 1755 on 23 Dec 24, as the document undersigned counsel sought to attach, Appellant’s DD Form 2330, omitted Appellant’s decision on a portion of the form and Counsel’s confirmation of that decision on the second page.

Appellant's DD Form 2330 has been corrected to reflect Appellant's decision in all required locations on the form.

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

Respectfully submitted,

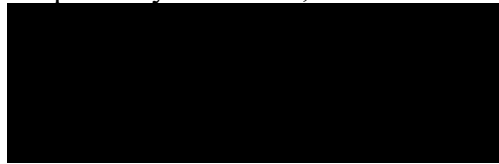


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CERTIFICATE OF FILING AND SERVICE

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 at AF.JAJG.AFLOA.Filng.Workflow@us.af.mil on 2 January 2025.

Respectfully submitted,



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