

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. 1
Airman First Class (E-3))	
Daymon B. Walters	)	No. ACM S32705
United States Air Force)	
<i>Appellant</i>	)	7 October 2021

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


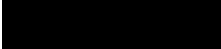
Pursuant to Rule 23.3(m) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignment of Errors. Appellant requests an enlargement of time for a period of 60 days, which will end on 17 December 2021. The record of trial was docketed with this Court on 19 August 2021. From the date of docketing to the present date, 49 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.


RYAN S. CRNKOVICH, Capt, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force


CERTIFICATE OF FILING AND SERVICE

I certify that the foregoing was sent via email to the Court and served on the Appellate Government Division on 7 October 2021.


RYAN S. CRNKOVICH, Capt, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force


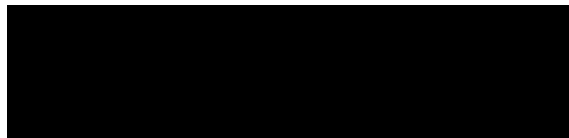
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM S32705
DAYMON B. WALTERS, 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 7 October 2021.



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



duty, in violation of Article 92, UCMJ. *Id.* He was sentenced to a total term of five months confinement, reduction to the grade of E-1, and a bad-conduct discharge. *Id.* By written memorandum, the convening authority took no action on the findings or sentence in the case. ROT at Vol. 1 – Convening Authority Decision on Action, dated 11 June 2021.

The ROT consists of two volumes. There were no written motions filed, the transcript is 93 pages. There are three prosecution exhibits, one defense exhibit, four appellate exhibits, and one court exhibit. Through no fault of Appellant, undersigned counsel has been working other assigned matters and has yet to complete his review of Appellant's case. Accordingly, an enlargement of time is necessary to allow undersigned counsel to fully review Appellant's case and advise Appellant regarding potential errors.

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

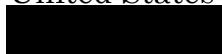

RYAN S. CRNKOVICH, Capt, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force


CERTIFICATE OF FILING AND SERVICE

I certify that the foregoing was sent via email to the Court and served on the Appellate Government Division on 10 December 2021.



Appellate Defense Counsel
AF/JAJA
United States Air Force



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 S32705
DAYMON B. WALTERS, 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.

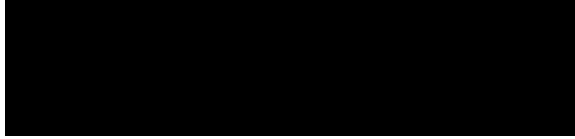


MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force



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 13 December 2021.



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 S32705
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Daymon B. WALTERS)	
Airman First Class (E-3))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 1

On 10 December 2021, counsel for Appellant submitted a Motion for Enlargement of Time (Second), requesting “an enlargement for a period of 30 days, which will end on 16 January 2021.” Additionally, Appellant states that on the date requested, 150 days will have elapsed from the date of docketing. Appellant’s counsel states “an enlargement of time is necessary to allow undersigned counsel to fully review Appellant’s case and advise Appellant regarding potential errors.” The Government generally opposes the motion.

This court previously granted Appellant’s Motion for Enlargement of Time (First) on 13 October 2021, which set the deadline for Appellant’s brief to 17 December 2021. This court understands Appellant to be requesting 30 additional days from the current due date, which would set a new deadline of 16 January 2022 and not “16 January 2021.”

Accordingly, it is by the court on this 16th day of December, 2021,

ORDERED:

Appellant’s Motion for Enlargement of Time (Second) is **GRANTED**. Appellant’s brief will be due not later than **16 January 2022**.



FOR THE COURT

[Redacted signature]

TANICA S. BAGMON
Appellate Court Paralegal

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. 1
Airman First Class (E-3))	
Daymon B. Walters	)	No. ACM S32705
United States Air Force)	
<i>Appellant</i>	)	7 January 2022

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

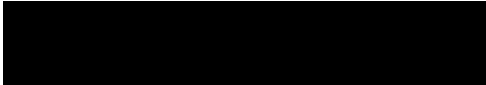
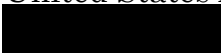
Pursuant to Rule 23.3(m) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignment of Errors. Appellant requests an enlargement of time for a period of 30 days, which will end on 15 February 2022. The record of trial was docketed with this Court on 19 August 2021. From the date of docketing to the present date, 141 days have elapsed. On the date requested, 180 days will have elapsed.

Appellant was tried before a military sitting alone at a special court-martial on 3 June 2021 at Sheppard Air Force Base, Texas. Record of Trial (ROT) at Vol. 1 – Entry of Judgment (EOJ), dated 21 June 2021. Consistent with his pleas, and pursuant to a plea agreement, Appellant was convicted of one charge and specification of wrongfully communicating a threat in violation of Article 115, UCMJ; one charge and specification of obstruction of justice, in violation of Article 131b, UCMJ; an additional charge and specification of obstruction of justice, in violation of Article 131b, UCMJ; and an additional charge and specification of negligent dereliction of

duty, in violation of Article 92, UCMJ. *Id.* He was sentenced to a total term of five months confinement, reduction to the grade of E-1, and a bad-conduct discharge. *Id.* By written memorandum, the convening authority took no action on the findings or sentence in the case. ROT at Vol. 1 – Convening Authority Decision on Action, dated 11 June 2021.

The ROT consists of two volumes. There were no written motions filed, the transcript is 93 pages. There are three prosecution exhibits, one defense exhibit, four appellate exhibits, and one court exhibit. Through no fault of Appellant, undersigned counsel has been working other assigned matters and has yet to complete his review of Appellant's case. Accordingly, an enlargement of time is necessary to allow undersigned counsel to fully review Appellant's case and advise Appellant regarding potential errors.

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

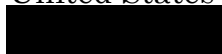

RYAN S. CRNKOVICH, Maj, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force


CERTIFICATE OF FILING AND SERVICE

I certify that the foregoing was sent via email to the Court and served on the Appellate Government Division on 7 January 2022.



Appellate Defense Counsel
AF/JAJA
United States Air Force



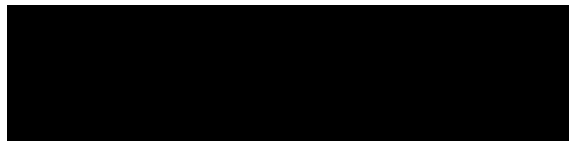
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM S32705
DAYMON B. WALTERS, 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.

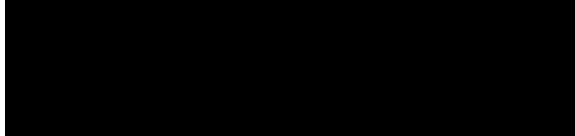


MARY ELLEN PAYNE
Associate Chief, Government Trial and
Appellate Operations Division
Military Justice and Discipline
United States Air Force



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 10 January 2022.



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

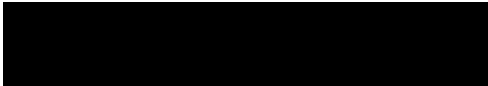
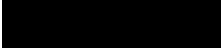


duty, in violation of Article 92, UCMJ. *Id.* He was sentenced to a total term of five months confinement, reduction to the grade of E-1, and a bad-conduct discharge. *Id.* By written memorandum, the convening authority took no action on the findings or sentence in the case. ROT at Vol. 1 – Convening Authority Decision on Action, dated 11 June 2021. Appellant is no longer in confinement. The ROT consists of two volumes. There were no written motions filed, the transcript is 93 pages. There are three prosecution exhibits, one defense exhibit, four appellate exhibits, and one court exhibit. This case is presently undersigned counsel’s fifth priority before this Court.

Undersigned counsel’s first priority before this Court is *United States v. Binegar*, which is on remand. In that case the ROT consists of two volumes, the transcript is 176 pages, there are four prosecution exhibits, six defense exhibits, and seven appellate exhibits. Undersigned counsel’s second priority before this Court is *United States v. Booker*. In that case the ROT consists of two volumes, the transcript is 91 pages, there were five written motions filed, there are three prosecution exhibits, three defense exhibits, and 15 appellate exhibits. Undersigned counsel’s third priority case before this Court is *United States v. Blow*, which is on remand. In that case, the ROT consists of five volumes, the transcript is 464 pages, there was one written motion filed, there are 28 prosecution exhibits, six defense exhibits, 12 appellate exhibits, and one court exhibit. Undersigned Counsel’s fourth priority case before this Court is *United States v. Goldsmith*. In that case the ROT is 10 volumes, there were ten written motions filed, the transcript is 1,052 pages, there are four prosecution exhibits, 11 defense exhibits, and three court exhibits.

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

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

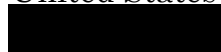

RYAN S. CRNKOVICH, Maj, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force


CERTIFICATE OF FILING AND SERVICE

I certify that the foregoing was sent via email to the Court and served on the Appellate Government Division on 7 February 2022.



RYAN S. CRNKOVICH, Maj, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force



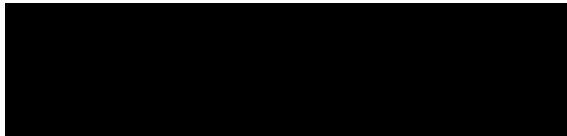
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION, OUT OF TIME,
	)	TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM S32705
DAYMON B. WALTERS, 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. This response is out of time due to an administrative oversight.

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

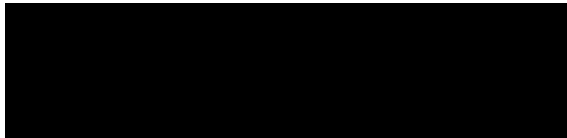


MARY ELLEN PAYNE
Associate Chief, Government Trial and
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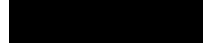


CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 10 February 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	)	APPELLANT'S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	(FIFTH)
v.)	
	)	Before Panel No. 1
Airman First Class (E-3))	
Daymon B. Walters	)	No. ACM S32705
United States Air Force)	
<i>Appellant</i>	)	10 March 2022

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

Pursuant to Rule 23.3(m) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignment of Errors. Appellant requests an enlargement of time for a period of 30 days, which will end on 16 April 2022. The record of trial was docketed with this Court on 19 August 2021. From the date of docketing to the present date, 203 days have elapsed. On the date requested, 240 days will have elapsed.

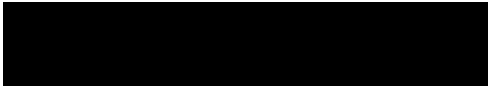
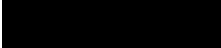
Appellant was tried before a military sitting alone at a special court-martial on 3 June 2021 at Sheppard Air Force Base, Texas. Record of Trial (ROT) at Vol. 1 – Entry of Judgment (EOJ), dated 21 June 2021. Consistent with his pleas, and pursuant to a plea agreement, Appellant was convicted of one charge and specification of wrongfully communicating a threat in violation of Article 115, UCMJ; one charge and specification of obstruction of justice, in violation of Article 131b, UCMJ; an additional charge and specification of obstruction of justice, in violation of Article 131b, UCMJ; and an additional charge and specification of negligent dereliction of

duty, in violation of Article 92, UCMJ. *Id.* He was sentenced to a total term of five months confinement, reduction to the grade of E-1, and a bad-conduct discharge. *Id.* By written memorandum, the convening authority took no action on the findings or sentence in the case. ROT at Vol. 1 – Convening Authority Decision on Action, dated 11 June 2021. Appellant is no longer in confinement. The ROT consists of two volumes. There were no written motions filed, the transcript is 93 pages. There are three prosecution exhibits, one defense exhibit, four appellate exhibits, and one court exhibit. This case is presently undersigned counsel's fifth priority before this Court.

Undersigned counsel's first priority before this Court is his *United States v. Emas*, in which undersigned counsel is presently drafting a reply brief that is due to this Court on 14 March 2022. His second priority before this Court is *United States v. Binigar* given that the Government's Answer is due tomorrow and undersigned counsel anticipates he will more than likely submit a responsive a reply brief in that case as well. Undersigned counsel's third priority case before this Court is *United States v. Blow*, which is on remand. In that case, the ROT consists of five volumes, the transcript is 464 pages, there was one written motion filed, there are 28 prosecution exhibits, six defense exhibits, 12 appellate exhibits, and one court exhibit. Undersigned Counsel's fourth priority case before this Court is *United States v. Goldsmith*. In that case, the ROT is 10 volumes, there were ten written motions filed, the transcript is 1,052 pages, there are four prosecution exhibits, 11 defense exhibits, and three court exhibits.

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

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


RYAN S. CRNKOVICH, Maj, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force


CERTIFICATE OF FILING AND SERVICE

I certify that the foregoing was sent via email to the Court and served on the Appellate Government Division on 10 March 2022.



RYAN S. CRNKOVICH, Maj, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force



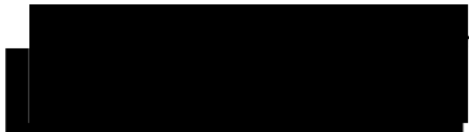
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Airman First Class (E-3)	)	ACM S32705
DAYMON B. WALTERS, 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.



JOHN P. PATERA, Maj, USAF
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 14 March 2021



JOHN P. PATERA, Maj, USAF
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 TO WITHDRAW
<i>Appellee,</i>	)	FROM APPELLATE REVIEW
)	
v.	)	Before Panel No. 1
)	
Airman First Class (E-3)	)	No. ACM S32705
Daymon B. Walters)	
United States Air Force)	
<i>Appellant</i>	)	29 March 2022

**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 Ryan S. Crnkovich, 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 Appendix, a two-page document, to Appellant’s Record of Trial. The appended document is necessary to comply with R.C.M. 1115(d).

WHEREFORE, Appellant respectfully 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.



RYAN S. CRNKOVICH, Maj, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force

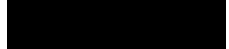


CERTIFICATE OF FILING AND SERVICE

I certify that the foregoing was sent via email to the Court and served on the Appellate Government Division on 29 March 2022.



RYAN S. CRNKOVICH, Maj, USAF
Appellate Defense Counsel
AF/JAJA
United States Air Force



APPENDIX

WAIVER/WITHDRAWAL OF APPELLATE RIGHTS IN GENERAL AND SPECIAL COURTS-MARTIAL SUBJECT TO REVIEW BY A COURT OF CRIMINAL APPEALS
(For use in courts-martial referred on or after 1 January 2019)

I have read the attached entry of judgment in my case dated 20210621.

I have consulted with Maj Ryan. S. Crnkovich, my ~~(associate)~~ defense counsel concerning my appellate rights and I am satisfied with his/her advice.

I understand that:

1. If I do not waive or withdraw appellate review –

- a. My court-martial will be automatically reviewed by the Air Force Court of Criminal Appeals per Article 66(b)(3) or is eligible for direct review by the _____ Court of Criminal Appeals per Article 66(b)(1)(A-B).
- b. The Court of Criminal Appeals will review my case to determine whether the findings and sentence are correct in law and fact and whether the sentence is appropriate.
- c. After review by the Court of Criminal Appeals, my case could be reviewed for legal error by the United States Court of Appeals for the Armed Forces on petition by me or on request of the Judge Advocate General.
- d. If the Court of Appeals for the Armed Forces reviews my case, my case could be reviewed for legal error by the United States Supreme Court on petition by me or the Government.
- e. I have the right to be represented by military counsel, at no cost to me, or by civilian counsel, at no expense to the United States, or both, before the Court of Criminal Appeals, the Court of Appeals for the Armed Forces, and the Supreme Court.

2. If I waive or withdraw appellate review –

- a. My case will not be reviewed by the Court of Criminal Appeals, or be subject to further review by the Court of Appeals for the Armed Forces, or by the Supreme Court under 28 U.S.C. § 1259.
- b. My case will be reviewed by a judge advocate per Article 65(d)(3). Upon completion of that review, I may submit an application for consideration by The Judge Advocate General under Article 69(b), for review limited to the issue of whether this waiver or withdrawal was invalid under the law. See R.C.M. 1201(h)(4)(B).
- c. An Article 69(b) application must be filed within one year after the date of completion of review under Article 65(d)(3), if I can show good cause for filing later the period may be extended up to three years after the completion date.
- d. I may file a waiver of appellate review at any time after entry of judgment.
- e. I may file withdrawal from appellate review any time before such review is completed.
- f. A waiver or withdrawal, once filed, cannot be revoked, and bars further appellate review. A waiver or withdrawal may not be filed in any case where the sentence includes death.

3. Whether or not I waive or withdraw appellate review, I may petition the Judge Advocate General for a new trial under Article 73 on the grounds of newly discovered evidence or fraud on the court at any time within three years after the date of the entry of judgment.

I understand the foregoing, and I ~~waive my right to appellate review~~ (withdraw my case from appellate review). I make this decision freely and voluntarily. No one has made any promises that I would receive any benefit from this waiver/withdrawal, and no one has forced me to make it.

DAYMON B. WALTERS

Airman First Class (E-3)

TYPED NAME OF ACCUSED

RANK OF ACCUSED

[Redacted Signature]

3-29-22

SIGNATURE OF ACCUSED

DATE

STATEMENT OF COUNSEL

(Check appropriate block)

- 1. I represented the accused at his/her court-martial
- 2. I am associate counsel detailed under R.C.M. 1115(b). I have communicated with the accused's (detailed) (individual military) (civilian) (appellate) defense counsel concerning the accused's waiver/withdrawal and discussed this communication with the accused.
- 3. I am substitute counsel detailed under R.C.M. 1115(b).
- 4. I am civilian counsel whom the accused consulted concerning this matter. I am a member in good standing of the bar of _____
- 5. I am appellate defense counsel for the accused.

I have advised the accused of his/her appellate rights and of the consequences of waiving or withdrawing appellate review. I was given a reasonable opportunity to examine the record of trial and any attachments in the accused's case before advising the accused. The accused has elected to ~~(waive)~~ (withdraw) appellate review.

Ryan S. Crnkovich

AF/JAJA

TYPED NAME OF COUNSEL

UNIT OF COUNSEL

Maj (O-4)

RANK OF COUNSEL

BUSINESS ADDRESS (if Civilian Counsel)

[Redacted Signature]

29 March 2022

SIGNATURE OF COUNSEL

DATE

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

UNITED STATES	)	No. ACM S32705
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Daymon B. WALTERS)	
Airman First Class (E-3))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 1

On 29 March 2022, Appellant submitted a Motion to Withdraw from Appellate Review. As part of the motion, Appellant requested to attach DD Form 2330, *Waiver/Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court of Criminal Appeals*, signed by both Appellant and Appellant’s counsel on 29 March 2022.

The Government did not submit any opposition.

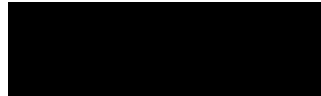
Accordingly, it is by the court on this 1st day of April, 2022,

ORDERED:

Appellant’s Motion to Withdraw from Appellate Review is **GRANTED**. Appellant’s case is forwarded to the Appellate Records Branch, JAJM, for further processing in accordance with Rules for Courts-Martial 1115(f)(3) and 1201, *Manual for Courts-Martial, United States* (2019 ed.).



FOR THE COURT



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