

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

|                     |   |                |
|---------------------|---|----------------|
| UNITED STATES       | ) | No. ACM 40678  |
| <i>Appellee</i>     | ) |                |
|                     | ) |                |
| v.                  | ) |                |
|                     | ) | <b>ORDER</b>   |
| Nicholas M. BOGGS   | ) |                |
| Senior Airman (E-4) | ) |                |
| U.S. Air Force      | ) |                |
| <i>Appellant</i>    | ) | <b>Panel 3</b> |

This case was docketed with the court on 16 September 2024. On 30 October 2024, counsel for Appellant submitted a Motion for Enlargement of Time (First) requesting an additional 60 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 4th day of November, 2024,

**ORDERED:**

Appellant's Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **14 January 2025**.

Any subsequent requests for enlargement will be considered individually on their merits.

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

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



FOR THE COURT



OLGA STANFORD Capt, USAF  
Commissioner

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

**UNITED STATES,**

*Appellee,*

v.

Senior Airman (E-4)

**NICHOLAS M. BOGGS,**

United States Air Force,

*Appellant.*

) **APPELLANT'S MOTION**

) **FOR ENLARGEMENT**

) **OF TIME (FIRST)**

)

) Before Panel No. 3

)

) No. ACM 40678

)

) 30 October 2024

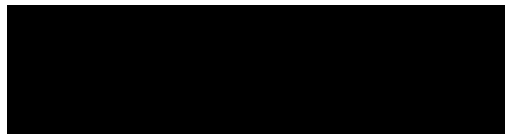
**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(1) and (2) of this Honorable Court's Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file Assignments of Error. Appellant requests an enlargement for a period of 60 days, which will end on **14 January 2025**.

Appellant's direct appeal was docketed with this Court on 16 September 2024. From the date of docketing to the present date, 44 days have elapsed. On the date requested, 120 days will have elapsed since docketing.

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

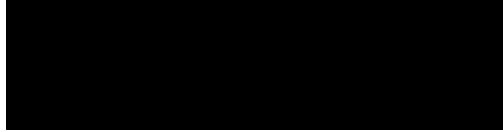
Respectfully submitted,



JORDAN L. GRANDE, Capt, 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: jordan.grande@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 Air Force Government Trial and Appellate Operations Division on 30 October 2024.



JORDAN L. GRANDE, Capt, 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: jordan.grande@us.af.mil

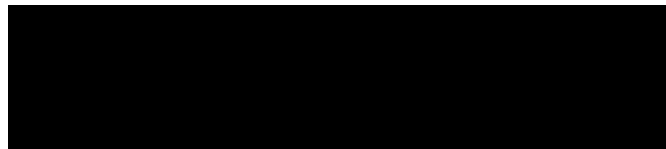
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

|                          |   |                           |
|--------------------------|---|---------------------------|
| UNITED STATES,           | ) | UNITED STATES' GENERAL    |
| <i>Appellee,</i>         | ) | OPPOSITION TO APPELLANT'S |
|                          | ) | MOTION FOR ENLARGEMENT    |
| v.                       | ) | OF TIME                   |
|                          | ) |                           |
| Senior Airman (E-4)      | ) | ACM 40678                 |
| NICHOLAS M. BOGGS, 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.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
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 31 October 2024.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
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.

Senior Airman (E-4)

**NICHOLAS M. BOGGS,**

United States Air Force,

*Appellant.*

) **APPELLANT’S MOTION**

) **FOR ENLARGEMENT**

) **OF TIME (SECOND)**

)

) Before Panel No. 3

)

) No. ACM 40678

)

) 5 January 2025

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

Pursuant to Rule 23.3(m)(1) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file Assignments of Error. Appellant requests an enlargement for a period of 30 days, which will end on **13 February 2025**.

Appellant’s case was docketed with this Court on 16 September 2024. From the date of docketing to the present date, 111 days have elapsed. On the date requested, 150 days will have elapsed since docketing.

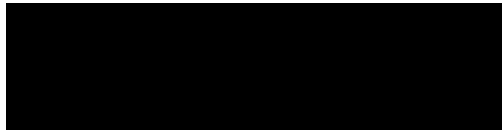
On 13 May 2024, Appellant was tried by a General Court-Martial sitting as a military judge alone at Minot Air Force Base, North Dakota. R. at 1, 81. Appellant was convicted consistent with his pleas and pursuant to a plea agreement, R. at 91; App. Ex. XXII, of one Charge with Two Specifications of wrongful possession/viewing of child pornography, in violation of Article 134, Uniform Code of Military Justice (UCMJ). R. at 128, EOJ. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for a total period of 24 months, and to be dishonorably discharged. R. at 160-161.

The record of trial consists of one e-ROT with nine Prosecution Exhibits, One Defense Exhibit, and 26 Appellate Exhibits; the transcript is 161 pages long. Appellant is currently confined. Undersigned counsel has not yet completed her review of the record for this case.

Through no fault of Appellant, undersigned counsel has been unable to prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal. Appellant has been provided an update on the status of undersigned counsel's progress on this case. Appellant was advised of the request for this enlargement of time. Appellant provided limited consent to disclose a confidential communication with counsel wherein Appellant consented to the request for this enlargement.

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

Respectfully submitted,

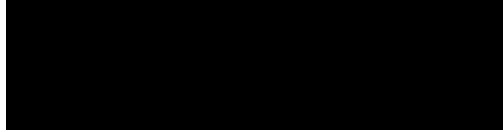


JORDAN L. GRANDE, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: jordan.grande@us.af.mil



## **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 Air Force Government Trial and Appellate Operations Division on 5 January 2025.



JORDAN L. GRANDE, Capt, 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: [jordan.grande@us.af.mil](mailto:jordan.grande@us.af.mil)

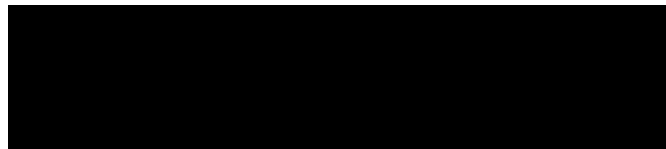
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

|                          |   |                           |
|--------------------------|---|---------------------------|
| UNITED STATES,           | ) | UNITED STATES' GENERAL    |
| <i>Appellee,</i>         | ) | OPPOSITION TO APPELLANT'S |
|                          | ) | MOTION FOR ENLARGEMENT    |
| v.                       | ) | OF TIME                   |
|                          | ) |                           |
| Senior Airman (E-4)      | ) | ACM 40678                 |
| NICHOLAS M. BOGGS, 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.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
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 7 January 2025.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
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.

Senior Airman (E-4)

**NICHOLAS M. BOGGS,**

United States Air Force,

*Appellant.*

) **APPELLANT’S MOTION**

) **FOR ENLARGEMENT**

) **OF TIME (THIRD)**

)

) Before Panel No. 3

)

) No. ACM 40678

)

) 3 February 2025

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

Pursuant to Rule 23.3(m)(1) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file Assignments of Error. Appellant requests an enlargement for a period of 30 days, which will end on **15 March 2025**.

Appellant’s case was docketed with this Court on 16 September 2024. From the date of docketing to the present date, 140 days have elapsed. On the date requested, 180 days will have elapsed since docketing.

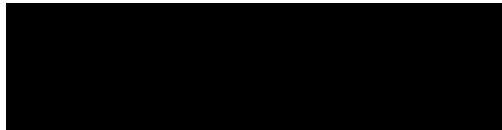
On 13 May 2024, Appellant was tried by a General Court-Martial sitting as a military judge alone at Minot Air Force Base, North Dakota. R. at 1, 81. Appellant was convicted consistent with his pleas and pursuant to a plea agreement, R. at 91; App. Ex. XXII, of one Charge with Two Specifications of wrongful possession/viewing of child pornography, in violation of Article 134, Uniform Code of Military Justice (UCMJ). R. at 128, EOJ. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for a total period of 24 months, and to be dishonorably discharged. R. at 160-161.

The record of trial consists of one e-ROT with nine Prosecution Exhibits, One Defense Exhibit, and 26 Appellate Exhibits; the transcript is 161 pages long. Appellant is currently confined. Undersigned counsel has not yet completed her review of the record for this case.

Through no fault of Appellant, undersigned counsel has been unable to prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal. Appellant has been provided an update on the status of undersigned counsel's progress on this case. Appellant was advised of the request for this enlargement of time. Appellant provided limited consent to disclose a confidential communication with counsel wherein Appellant consented to the request for this enlargement.

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

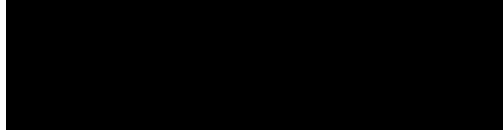
Respectfully submitted,



JORDAN L. GRANDE, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
Email: jordan.grande@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 Air Force Government Trial and Appellate Operations Division on 3 February 2025.



JORDAN L. GRANDE, Capt, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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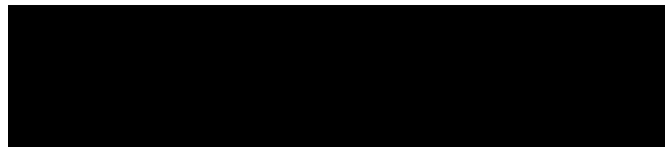
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

|                          |   |                           |
|--------------------------|---|---------------------------|
| UNITED STATES,           | ) | UNITED STATES' GENERAL    |
| <i>Appellee,</i>         | ) | OPPOSITION TO APPELLANT'S |
|                          | ) | MOTION FOR ENLARGEMENT    |
| v.                       | ) | OF TIME                   |
|                          | ) |                           |
| Senior Airman (E-4)      | ) | ACM 40678                 |
| NICHOLAS M. BOGGS, 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.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
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 5 February 2025.



JENNY A. LIABENOW, Lt Col, USAF  
Director of Operations  
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**

|                           |   |                                     |
|---------------------------|---|-------------------------------------|
| <b>UNITED STATES</b>      | ) | <b>APPELLANT’S MOTION FOR</b>       |
| <i>Appellee</i>           | ) | <b>ENLARGEMENT OF TIME (FOURTH)</b> |
|                           | ) |                                     |
| v.                        | ) | Before Panel 3                      |
|                           | ) |                                     |
| Senior Airman (E-4)       | ) | No. ACM 40678                       |
| <b>NICHOLAS M. BOGGS,</b> | ) |                                     |
| United States Air Force   | ) | 6 March 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), 23.3(m)(4), and 23.3(m)(6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **14 April 2025**.

Appellant’s case was docketed with this Court on 16 September 2024. From the date of docketing to the present date, 171 days have elapsed. On the date requested, 210 days will have elapsed since docketing.

On 13 May 2024, Appellant was tried by a General Court-Martial composed of a military judge alone at Minot Air Force Base, North Dakota. R. at 1, 81. Appellant was convicted consistent with his pleas and pursuant to a plea agreement of one Charge with Two Specifications of wrongful possession/viewing of child pornography, in violation of Article 134, Uniform Code of Military Justice (UCMJ). R. at 91, 128; Appellate Ex. XXII, Entry of Judgment. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for a total period of twenty-four months, and to be dishonorably discharged. R. at 160-161.

The record of trial consists of one e-ROT with nine Prosecution Exhibits, one Defense Exhibit, and twenty-six Appellate Exhibits; the transcript is 161 pages long. Appellant is currently confined. Undersigned counsel has not yet completed her review of the record for this case.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: Capt Grande is currently assigned 24 cases; 22 cases are pending before this Court (18 cases are pending AOE's). Two cases have priority over the present case:

1. *United States v. Gale*, Misc. Dkt. No. 2025-01 – Undersigned counsel is currently drafting an answer to the Appellant's Brief, which is due on 13 March 2025. The record in this case is twelve volumes.
2. *United States v. Ledee-Nicholls*, ACM No. 40667 - The record of trial consists of one e-ROT with six volumes, three prosecution exhibits, 20 Defense Exhibits, and four Appellate Exhibits; the transcript is 122 pages long. Undersigned counsel has completed her review of the record in this case and will begin drafting the AOE after completion of the *United States v. Gale* Answer.

Through no fault of Appellant, undersigned counsel has been unable to prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal. Appellant has been provided an update on the status of undersigned counsel's progress on this case. Appellant was advised of the request for this enlargement of time. Appellant provided limited consent to disclose a confidential communication with counsel wherein Appellant consented to the request for this enlargement.

**WHEREFORE**, Appellant respectfully requests that this Honorable Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,



JORDAN L. GRANDE, Capt, 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: [jordan.grande@us.af.mil](mailto:jordan.grande@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 6 March 2025.

Respectfully submitted,



JORDAN L. GRANDE, Capt, 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: [jordan.grande@us.af.mil](mailto:jordan.grande@us.af.mil)

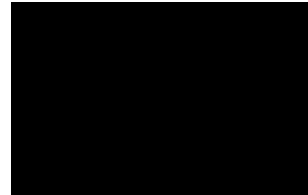
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

|                                 |   |                           |
|---------------------------------|---|---------------------------|
| <b>UNITED STATES,</b>           | ) | UNITED STATES' GENERAL    |
| <i>Appellee,</i>                | ) | OPPOSITION TO APPELLANT'S |
|                                 | ) | MOTION FOR ENLARGEMENT    |
|                                 | ) | OF TIME                   |
| v.                              | ) |                           |
|                                 | ) | Before Panel No. 3        |
|                                 | ) |                           |
| Senior Airman (E-4)             | ) | No. ACM 40678             |
| <b>NICHOLAS M. BOGGS, USAF,</b> | ) |                           |
| <i>Appellant.</i>               | ) | 7 March 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 (Fourth) to file an Assignment of Error in this case.

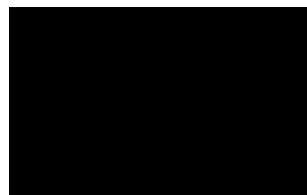
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations  
1500 W. Perimeter Road, Suite 1190  
Joint Base Andrews, MD  
DSN: 612-4809

**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 March 2025.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel  
Government Trial & Appellate Operations  
1500 W. Perimeter Road, Suite 1190  
Joint Base Andrews, MD  
DSN: 612-4809

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

|                           |   |                                    |
|---------------------------|---|------------------------------------|
| <b>UNITED STATES</b>      | ) | <b>APPELLANT’S MOTION FOR</b>      |
| <i>Appellee</i>           | ) | <b>ENLARGEMENT OF TIME (FIFTH)</b> |
|                           | ) |                                    |
| v.                        | ) | Before Panel 3                     |
|                           | ) |                                    |
| Senior Airman (E-4)       | ) | No. ACM 40678                      |
| <b>NICHOLAS M. BOGGS,</b> | ) |                                    |
| United States Air Force   | ) | 7 April 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), 23.3(m)(4), and 23.3(m)(6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **14 May 2025**.

Appellant’s case was docketed with this Court on 16 September 2024. From the date of docketing to the present date, 203 days have elapsed. On the date requested, 240 days will have elapsed since docketing.

On 13 May 2024, Appellant was tried by a General Court-Martial composed of a military judge alone at Minot Air Force Base, North Dakota. R. at 1, 81. Appellant was convicted consistent with his pleas and pursuant to a plea agreement of one Charge with Two Specifications of wrongful possession/viewing of child pornography, in violation of Article 134, Uniform Code of Military Justice (UCMJ). R. at 91, 128; Appellate Ex. XXII, Entry of Judgment. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for a total period of twenty-four months, and to be dishonorably discharged. R. at 160-161.

The record of trial consists of one e-ROT with nine Prosecution Exhibits, one Defense Exhibit, and twenty-six Appellate Exhibits; the transcript is 161 pages long. Appellant is currently confined. Undersigned counsel has not yet completed her review of the record for this case.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: Capt Grande is currently assigned 24 cases; 22 cases are pending before this Court (18 cases are pending AOE). Two cases have priority over the present case:

1. *United States v. Gale*, Misc. Dkt. No. 2025-01 – Undersigned counsel is currently preparing for oral argument before this Court, which is scheduled for 24 April 2025.

The record in this case is twelve volumes.

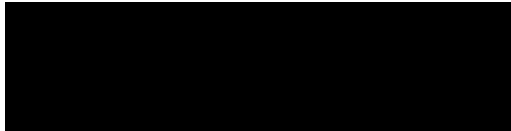
2. *United States v. Ledee-Nicholls*, ACM No. 40667 - The record of trial consists of one e-ROT with six volumes, three prosecution exhibits, 20 Defense Exhibits, and four Appellate Exhibits; the transcript is 122 pages long. Undersigned counsel has completed her review of the record in this case and has begun drafting the AOE.

Through no fault of Appellant, undersigned counsel has been unable to prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal. Appellant has been provided an update on the status of undersigned counsel's progress on this case. Appellant was advised of the request for this enlargement of time. Appellant provided limited consent to disclose a confidential communication with counsel wherein Appellant consented to the request for this enlargement.

**WHEREFORE**, Appellant respectfully requests that this Honorable Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,





JORDAN L. GRANDE, Maj, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
1500 West Perimeter Road, Suite 1100  
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Office: (240) 612-4770  
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**CERTIFICATE OF FILING AND SERVICE**

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Respectfully submitted,



JORDAN L. GRANDE, Maj, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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Joint Base Andrews NAF, MD 20762-6604  
Office: (240) 612-4770  
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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    |
|                           | ) | OF TIME                   |
| v.                        | ) |                           |
|                           | ) |                           |
|                           | ) | Before Panel No. 3        |
| Senior Airman (E-4)       | ) |                           |
| <b>NICHOLAS M. BOGGS,</b> | ) | No. ACM 40678             |
| United States Air Force,  | ) |                           |
| <i>Appellant.</i>         | ) |                           |
|                           | ) | 8 April 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.

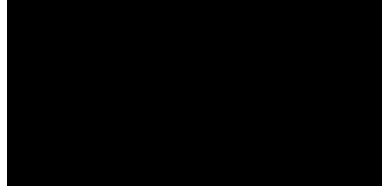
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



JOCELYN Q. WRIGHT, 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 8 April 2025.



JOCELYN Q. WRIGHT, 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 40678          |
| <i>Appellee</i>     | ) |                        |
|                     | ) |                        |
| v.                  | ) |                        |
|                     | ) | NOTICE OF PANEL CHANGE |
| Nicholas M. BOGGS   | ) |                        |
| Senior Airman (E-4) | ) |                        |
| 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



Chief Commissioner

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

|                           |   |                                    |
|---------------------------|---|------------------------------------|
| <b>UNITED STATES</b>      | ) | <b>APPELLANT’S MOTION FOR</b>      |
| <i>Appellee</i>           | ) | <b>ENLARGEMENT OF TIME (SIXTH)</b> |
|                           | ) |                                    |
| v.                        | ) | Before Panel 3                     |
|                           | ) |                                    |
| Senior Airman (E-4)       | ) | No. ACM 40678                      |
| <b>NICHOLAS M. BOGGS,</b> | ) |                                    |
| United States Air Force   | ) | 5 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), 23.3(m)(4), and 23.3(m)(6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for an enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **13 June 2025**.

Appellant’s case was docketed with this Court on 16 September 2024. From the date of docketing to the present date, 231 days have elapsed. On the date requested, 270 days will have elapsed since docketing.

On 13 May 2024, Appellant was tried by a General Court-Martial composed of a military judge alone at Minot Air Force Base, North Dakota. R. at 1, 81. Appellant was convicted consistent with his pleas and pursuant to a plea agreement of one Charge with Two Specifications of wrongful possession/viewing of child pornography, in violation of Article 134, Uniform Code of Military Justice (UCMJ). R. at 91, 128; Appellate Ex. XXII, Entry of Judgment. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for a total period of twenty-four months, and to be dishonorably discharged. R. at 160-161.

The record of trial consists of one e-ROT with nine Prosecution Exhibits, one Defense Exhibit, and twenty-six Appellate Exhibits; the transcript is 161 pages long. Appellant is currently confined. Undersigned counsel has not yet completed her review of the record for this case.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: Capt Grande is currently assigned 27 cases; 22 cases are pending before this Court (18 cases are pending AOE). Two cases have priority over the present case:

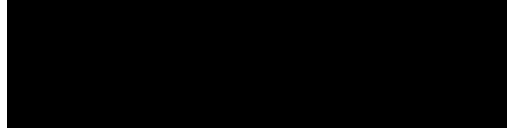
1. *United States v. Serjak*, USCA Dkt. No. 25-0120/AF; Crim.App. No. 40392- The record of trial consists of twelve volumes, fourteen Prosecution Exhibits, ten Defense Exhibits, three Court Exhibits, and eighty-four Appellate Exhibits. Undersigned counsel is currently drafting Appellee's Answer, which is due 21 May 2025. Additionally, the Acting Secretary of the Air Force has ordered a continued confinement hearing in A1C Serjak's case, and undersigned counsel anticipates traveling to Military Correctional Facility Miramar for this hearing within the next week for an unknown period of time.
2. *United States v. Ledee-Nicholls*, ACM No. 40667 - The record of trial consists of one e-ROT with six volumes, three prosecution exhibits, 20 Defense Exhibits, and four Appellate Exhibits; the transcript is 122 pages long. Undersigned counsel is currently drafting the AOE, which will be filed with this Court no later than 2 June 2025.

Through no fault of Appellant, undersigned counsel has been unable to prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal. Appellant has been provided an update on the status of undersigned counsel's progress on this case. Appellant was advised of the request for this enlargement of time. Appellant provided limited consent to disclose

a confidential communication with counsel wherein Appellant consented to the request for this enlargement.

**WHEREFORE**, Appellant respectfully requests that this Honorable Court grant the requested enlargement of time for good cause shown.

Respectfully submitted,

A solid black rectangular box used to redact the signature of the appellant.

JORDAN L. GRANDE, 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: [jordan.grande@us.af.mil](mailto:jordan.grande@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 5 May 2025.

Respectfully submitted,



JORDAN L. GRANDE, Maj, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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Email: [jordan.grande@us.af.mil](mailto:jordan.grande@us.af.mil)

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

|                           |   |                           |
|---------------------------|---|---------------------------|
| <b>UNITED STATES,</b>     | ) | UNITED STATES' GENERAL    |
| <i>Appellee,</i>          | ) | OPPOSITION TO APPELLANT'S |
|                           | ) | MOTION FOR ENLARGEMENT    |
|                           | ) | OF TIME                   |
| v.                        | ) |                           |
|                           | ) |                           |
|                           | ) | Before Panel No. 3        |
| Senior Airman (E-4)       | ) |                           |
| <b>NICHOLAS M. BOGGS,</b> | ) | No. ACM 40678             |
| United States Air Force,  | ) |                           |
| <i>Appellant.</i>         | ) |                           |
|                           | ) | 7 May 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.

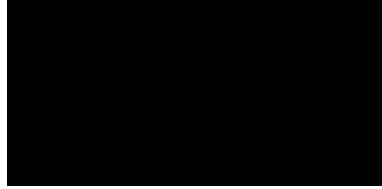
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



JOCELYN Q. WRIGHT, 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 7 May 2025.



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

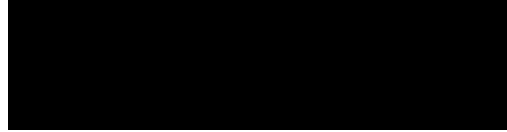
UNITED STATES, ) APPELLANT’S MOTION TO  
Appellee, ) WITHDRAW REVIEW FROM  
 ) APPELLATE AND ATTACH  
v. )  
 ) Before Panel No. 2  
Airman First Class (E-3) )  
NICHOLAS M. BOGGS, ) No. ACM 40678  
United States Air Force, )  
Appellant. ) 29 May 2025

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 Jordan Grande, 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 Court's Rules of Practice and Procedure.

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

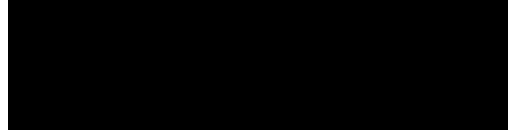
Respectfully submitted,



JORDAN L. GRANDE, 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: jordan.grande@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 Air Force Government Trial and Appellate Operations Division on 29 May 2025.



JORDAN L. GRANDE, Maj, USAF  
Appellate Defense Counsel  
Air Force Appellate Defense Division  
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**UNITED STATES AIR FORCE  
COURT OF CRIMINAL APPEALS**

|                          |   |               |
|--------------------------|---|---------------|
| UNITED STATES            | ) | No. ACM 40678 |
| <i>Appellee</i>          | ) |               |
|                          | ) |               |
| v.                       | ) |               |
|                          | ) | <b>ORDER</b>  |
| Nicholas M. BOGGS        | ) |               |
| Airman First Class (E-3) | ) |               |
| U.S. Air Force           | ) | Panel 2       |
| <i>Appellant</i>         | ) |               |

On 29 May 2025, Appellant submitted a motion to withdraw from appellate review and motion to attach. Specifically, Appellant moved to attach a 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 Appellant and Appellant's counsel on 29 May 2025.

The Government did not submit any opposition.

Accordingly, it is by the court on this 4th day of June, 2025,

**ORDERED:**

Appellant's Motion to Withdraw from Appellate Review and Motion to Attach dated 29 May 2025 are **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* (2024 ed.).



FOR THE COURT



OLGA STANFORD, Capt, USAF  
Chief Commissioner