

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

UNITED STATES	)	No. ACM S32786
<i>Appellee</i>	)	
	)	
v.	)	
	)	<b>ORDER</b>
Brandon L. DOUCETTE	)	
Senior Airman (E-4)	)	
U.S. Air Force	)	
<i>Appellant</i>	)	<b>Panel 2</b>

On 30 July 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 1st day of August, 2024,

**ORDERED:**

Appellant’s Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **12 October 2024**.

Counsel should not rely on any subsequent requests for enlargement of time being granted. Each request will be considered on its merits.

Appellant’s counsel is advised that any subsequent motions for enlargement of time shall include, in addition to matters required under this court’s Rules of Practice and Procedure, statements as to: (1) whether Appellant was advised of Appellant’s right to a timely appeal, (2) whether Appellant was provided an update of the status of counsel’s progress on Appellant’s case, (3) whether Appellant was advised of the request for an enlargement of time, and (4) whether Appellant agrees with the request for an enlargement of time. Counsel is not required to re-address item (1) in each subsequent motion for enlargement of time if counsel previously replied in the affirmative.

Counsel may request, and the court may order *sua sponte*, a status conference to facilitate timely processing of this appeal.

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, will not be granted absent exceptional circumstances.



FOR THE COURT

[Redacted signature]

OLGA STANFORD, Capt, USAF  
Commissioner

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

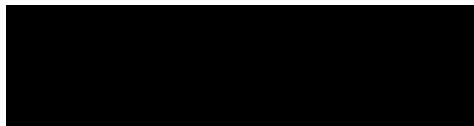
<b>UNITED STATES,</b>	) <b>APPELLANT’S MOTION</b>
<i>Appellee,</i>	) <b>FOR ENLARGEMENT</b>
	) <b>OF TIME (FIRST)</b>
v.	)
	) Before Panel No. 2
Senior Airman (E-4)	)
<b>BRANDON L. DOUCETTE,</b>	) No. ACM S32786
United States Air Force,	)
<i>Appellant.</i>	) 30 July 2024

**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 (EOT) to file Assignments of Error. Appellant requests an enlargement for a period of 60 days, which will end on **12 October 2024**. The record of trial was docketed with this Court on 14 June 2024. From the date of docketing to the present date, 46 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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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 July 2024.



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)

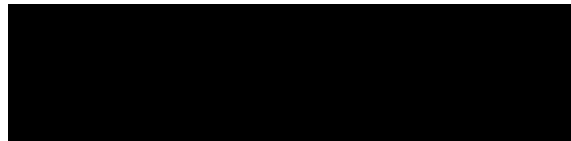
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	ACM S32786
BRANDON L. DOUCETTE, USAF,	)	
<i>Appellant.</i>	)	Panel No. 2
	)	

**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

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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 31 July 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**

<b>UNITED STATES,</b> <i>Appellee,</i>  v.  Senior Airman (E-4) <b>BRANDON L. DOUCETTE,</b> United States Air Force, <i>Appellant.</i>	) <b>APPELLANT’S MOTION</b> ) <b>FOR ENLARGEMENT</b> ) <b>OF TIME (SECOND)</b> ) ) Before Panel No. 2 ) ) No. ACM S32786 ) ) 2 October 2024
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**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
AIR FORCE COURT OF CRIMINAL APPEALS:**

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, 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 **11 November 2024**. The record of trial was docketed with this Court on 14 June 2024. From the date of docketing to the present date, 110 days have elapsed. On the date requested, 150 days will have elapsed.

On 25 April 2024, Appellant was tried by a special court-martial sitting as a military judge alone at McConnell Air Force Base, Kansas. R. at 1, 11-13. Appellant was convicted, consistent with his pleas of one charge and one specification of wrongful use of cocaine, and one charge and one specification of wrongful use of THC, both in violation of Article 112a, Uniform Code of Military Justice (UCMJ).<sup>1</sup> R. at 18, 105. The military judge sentenced Appellant to a reprimand, reduction to the grade of E-1, 35 days of confinement, and a bad-conduct discharge. R. at 123. The

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<sup>1</sup> Appellant also plead guilty to one charge and one specification of failure to obey a lawful general regulation, in violation of Article 92, UCMJ, however the Government withdrew and dismissed that charge and its specification without prejudice prior to acceptance of the guilty plea. R. at 80-81.

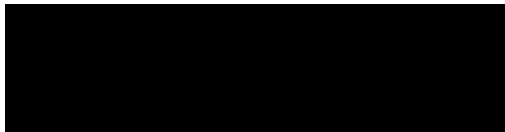
convening authority took no action on the findings or sentence. ROT, Vol. 1, Convening Authority Decision on Action – *United States v. SrA Brandon L. Doucette*, dated 9 May 24.

The record of trial is two volumes consisting of three prosecution exhibits, no court exhibits, ten defense exhibits, and eight appellate exhibits; the transcript is 124 pages. Appellant is not currently confined.

Undersigned counsel has been unable to prepare a brief for Appellant’s case. Undersigned counsel has completed her review of the Record of Trial. An enlargement of time is necessary to allow counsel to fully review Appellant’s case and advise Appellant regarding potential errors. Despite undersigned counsel’s attempts to communicate with Appellant, (1) Appellant has not yet been advised of his right to a timely appeal, (2) Appellant has not been provided an update as to the status of Counsel’s progress, (3) Appellant has not been advised of the request for an enlargement of time, and (4) Appellant has neither agreed nor disagreed with this request for an enlargement of time.

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

Respectfully submitted,

A solid black rectangular redaction box covering the signature and name of the undersigned counsel.

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 was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 2 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  
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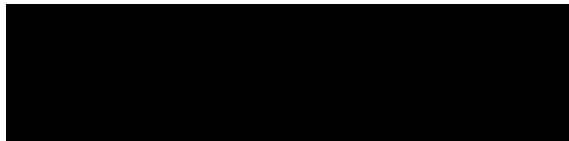
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	ACM S32786
BRANDON L. DOUCETTE, USAF,	)	
<i>Appellant.</i>	)	Panel No. 2
	)	

**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 3 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**

<b>UNITED STATES,</b> <i>Appellee,</i>	)	<b>APPELLANT’S MOTION</b>
	)	<b>FOR ENLARGEMENT</b>
	)	<b>OF TIME (THIRD)</b>
v.	)	
	)	Before Panel No. 2
Senior Airman (E-4)	)	
<b>BRANDON L. DOUCETTE,</b>	)	No. ACM S32786
United States Air Force,	)	
<i>Appellant.</i>	)	1 November 2024

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

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, 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 **11 December 2024**. The record of trial was docketed with this Court on 14 June 2024. From the date of docketing to the present date, 140 days have elapsed. On the date requested, 180 days will have elapsed.

On 25 April 2024, Appellant was tried by a special court-martial sitting as a military judge alone at McConnell Air Force Base, Kansas. R. at 1, 11-13. Appellant was convicted, consistent with his pleas of one charge and one specification of wrongful use of cocaine, and one charge and one specification of wrongful use of THC, both in violation of Article 112a, Uniform Code of Military Justice (UCMJ).<sup>1</sup> R. at 18, 105. The military judge sentenced Appellant to a reprimand, reduction to the grade of E-1, 35 days of confinement, and a bad-conduct discharge. R. at 123. The

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<sup>1</sup> Appellant also plead guilty to one charge and one specification of failure to obey a lawful general regulation, in violation of Article 92, UCMJ, however the Government withdrew and dismissed that charge and its specification without prejudice prior to acceptance of the guilty plea. R. at 80-81.

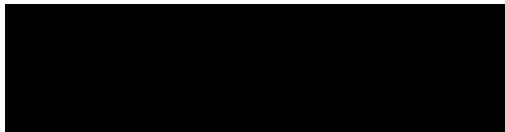
convening authority took no action on the findings or sentence. ROT, Vol. 1, Convening Authority Decision on Action – *United States v. SrA Brandon L. Doucette*, dated 9 May 24.

The record of trial is two volumes consisting of three prosecution exhibits, no court exhibits, ten defense exhibits, and eight appellate exhibits; the transcript is 124 pages. Appellant is not currently confined.

Undersigned counsel has been unable to prepare a brief for Appellant’s case. Undersigned counsel has completed her review of the Record of Trial. An enlargement of time is necessary to allow counsel to fully review Appellant’s case and advise Appellant regarding potential errors. Despite undersigned counsel’s attempts to communicate with Appellant, (1) Appellant has not yet been advised of his right to a timely appeal, (2) Appellant has not been provided an update as to the status of Counsel’s progress, (3) Appellant has not been advised of the request for an enlargement of time, and (4) Appellant has neither agreed nor disagreed with this request for an enlargement of time.

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

Respectfully submitted,

A solid black rectangular redaction box covering the signature and name of the undersigned counsel.

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

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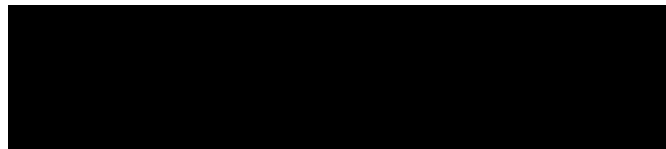
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	ACM S32786
BRANDON L. DOUCETTE, USAF,	)	
<i>Appellant.</i>	)	Panel No. 2
	)	

**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

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convening authority took no action on the findings or sentence. ROT, Vol. 1, Convening Authority Decision on Action – *United States v. SrA Brandon L. Doucette*, dated 9 May 24.

The record of trial is two volumes consisting of three prosecution exhibits, no court exhibits, ten defense exhibits, and eight appellate exhibits; the transcript is 124 pages. Appellant is not currently confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information. Appellate defense counsel is currently assigned 21 cases; 18 cases are pending before this Court (16 cases are pending AOE). Four cases have priority over the present case:

1. *United States v. Singleton*, No. ACM 40535 – Undersigned counsel took over this case from Capt Samantha Castanien on 30 October 2024, after considering new developments to Capt Castanien’s docket. The trial transcript is 1,738 pages long and the record of trial is comprised of twelve volumes containing six Prosecution Exhibits, 17 Defense Exhibits, one Court Exhibit, and 89 Appellate Exhibits. Appellant is not currently confined. Undersigned counsel finalized a CAAF brief in *United States v. Roan*, No. 24-0104/AF on 27 November 2024, and will turn to *United States v Singleton* following the Thanksgiving holiday. She has begun her review of the record.

2. *United States v Ingram*, No. ACM S32781 – The record of trial is three volumes consisting of two prosecution exhibits, no court exhibits, no defense exhibits, and four appellate exhibits; the transcript is 86 pages. Appellant is not currently confined. Undersigned counsel has completed her review of the record of trial in this case and anticipates filing a merits brief by 7 December 2024.

3. *United States v. Roan*, No. 24-0104/AF – Undersigned counsel submitted the Grant Brief for this two-issue appeal to the CAAF on 27 November 2024. Any reply brief will be due after the

Government's answer, which undersigned counsel anticipates will be sometime in late January. Undersigned counsel anticipates oral argument for this case will be early next year.

4. *United States v Ryder*, No. ACM 40605- The record of trial is four volumes consisting of three prosecution exhibits, no court exhibits, ten defense exhibits, and six appellate exhibits; the transcript is 173 pages. Appellant is not currently confined. Undersigned counsel has completed her review of the record for this case.

Since Appellant's last EOT, Capt Grande researched and drafted the Grant Brief for *Roan* and traveled TDY to Davis-Monthan AFB from 8-16 November 2024 to defend a client facing multiple allegations, including a sexual assault allegation, at an administrative discharge board hearing. The hearing was complex and required Capt Grande to interview more than 20 witnesses and prepare several motion-like filings. Capt Grande also began her review of the record in *United States v Singleton*.

Undersigned counsel has been unable to prepare a brief for Appellant's case. Undersigned counsel has completed her review of the Record of Trial. An enlargement of time is necessary to allow counsel to fully review Appellant's case and advise Appellant regarding potential errors. Despite undersigned counsel's attempts to communicate with Appellant, (1) Appellant has not yet been advised of his right to a timely appeal, (2) Appellant has not been provided an update as to the status of Counsel's progress, (3) Appellant has not been advised of the request for an enlargement of time, and (4) Appellant has neither agreed nor disagreed with this request for an enlargement of time.

**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](mailto:jordan.grande@us.af.mil)

## **CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing was sent via email to the Court and served on the Air Force Government Trial and Appellate Operations Division on 29 November 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  
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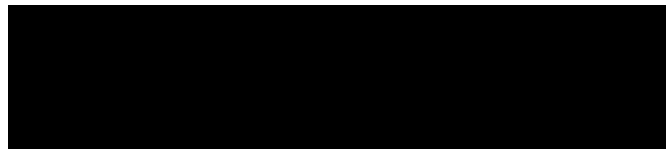
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Senior Airman (E-4)	)	ACM S32786
BRANDON L. DOUCETTE, USAF,	)	
<i>Appellant.</i>	)	Panel No. 2
	)	

**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

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JENNY A. LIABENOW, Lt Col, USAF  
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**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

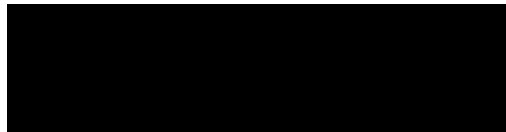
<b>UNITED STATES,</b>	)	<b>MERITS BRIEF</b>
<i>Appellee,</i>	)	
	)	
v.	)	Before Panel No. 2
	)	
Senior Airman (E-4),	)	No. ACM S32786
<b>BRANDON L. DOUCETTE,</b>	)	
United States Air Force,	)	7 January 2025
<i>Appellant.</i>	)	

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

**Submission of Case Without Specific Assignments of Error**

The undersigned appellate defense counsel attests she has, on behalf of Senior Airman Brandon L. Doucette, Appellant, carefully examined the record of trial in this case. Appellant does not admit the findings and sentence are correct in law and fact, but submits the case to this Honorable Court on its merits with no specific assignments of error.

Respectfully submitted,



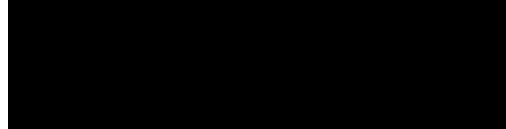
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Respectfully submitted,



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Appellate Defense Counsel  
Air Force Appellate Defense Division  
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