

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

<b>UNITED STATES</b>	)	<b>No. ACM S32826</b>
<i>Appellee</i>	)	
	)	
<b>v.</b>	)	
	)	<b>NOTICE OF PANEL CHANGE</b>
<b>Ryan C. FLANAGAN</b>	)	
<b>Airman First Class (E-3)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	

It is by the court on this 4th day of August, 2025,

**ORDERED:**

That the Record of Trial in the above-styled matter is withdrawn from Panel 1 and referred to Panel 3 for appellate review.

This panel letter supersedes all previous panel assignments.



FOR THE COURT



AGNIESZKA M. GAERTNER, Capt, USAF  
Commissioner

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

<b>UNITED STATES</b> <i>Appellee</i>	)	<b>CONSENT MOTION TO SUSPEND</b>
	)	<b>RULE 23.3(m)(2)</b>
	)	
v.	)	Before Panel No. 3
	)	
Airman First Class (E-3)	)	No. ACM S32826
<b>RYAN C. FLANAGAN,</b>	)	
United States Air Force	)	28 August 2025
<i>Appellant</i>	)	

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

Pursuant to Rules 23 and 32 of the Joint Rules of Appellate Procedure for Courts of Criminal Appeals and Rules 23.3(r) and 32 of this Honorable Court’s Rules of Practice and Procedure, Appellant, Airman First Class Ryan C. Flanagan, hereby moves this Court to suspend that portion of Rule 23.3(m)(2) which provides that “[a]n appellant’s first motion for enlargement may be granted for up to 60 calendar days” and grant an enlargement of time for 120 days. A.F. CT. CRIM. APP. R. 23.3(m)(2). The requested enlargement for a period of 120 days will end on **6 January 2026**. The Government consents to the requested suspension and the duration of the requested extension.

This case was docketed with this Court on 10 July 2025. From the date of docketing to the present date, fifty days have elapsed. On the date requested, 180 days will have elapsed.

On 17 April 2025, a special court-martial consisting of a military judge alone convicted Appellant, consistent with his pleas, of one specification of indecent conduct, in violation of Article 134, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 934. R. at 125; Charge Sheet;

Entry of Judgment.<sup>1</sup> The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to forfeit 1,000 dollars of pay per month for one month, to be confined for 60 days, and to a bad-conduct discharge. R. at 173. The convening authority took no action on the findings or sentence and denied Appellant's request for deferment of the reduction in grade. Convening Authority Decision on Action. Appellant's electronic record of trial is 1 volume consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Undersigned counsel is currently assigned nineteen cases; sixteen of those cases are pending assignments of error before this Court. One case before the Court of Appeals for the Armed Forces takes priority over this case: *United States v. Johnson*, Dkt No. 25-0202/AF, ACM No. 40537. Undersigned counsel is currently preparing a brief in *Johnson*. In addition, ten cases with this Court have priority over the present case.

1. *United States v. Saul*, ACM No. 40341 – The record of trial contains 9 volumes consisting of 15 prosecution exhibits, 2 defense exhibits, and 51 appellate exhibits; the transcript is 1266 pages. SSgt Saul is not confined.
2. *United States v. Anderson*, ACM No. 40771 – The record of trial contains 1 volume consisting of 4 prosecution exhibits, 5 defense exhibits, and 4 appellate exhibits; the transcript is 125 pages. SSgt Anderson is confined.
3. *United States v. Fischer*, ACM No. 40786 – The record of trial contains 14 volumes consisting of 6 prosecution exhibits, 16 defense exhibits, 1 court exhibit, and 7 appellate exhibits; the transcript is 352 pages. TSgt Fischer is confined.

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<sup>1</sup> One additional specification in violation of Article 120c, UCMJ, 10 U.S.C. § 920c, was withdrawn and dismissed pursuant to a plea agreement. R. at 173; Entry of Judgment.

4. *United States v. Shimizu*, ACM No. 40750 – The record of trial contains 2 volumes consisting of 6 prosecution exhibits, 8 defense exhibits, and 5 appellate exhibits. The transcript is 179 pages. TSgt Shimizu is confined.
5. *United States v. Marquez*, ACM No. 40800 – The record of trial contains 7 volumes consisting of 5 prosecution exhibits, 4 defense exhibits, 43 appellate exhibits, and 3 court exhibits. The transcript is 833 pages. SSgt Marquez is confined.
6. *United States v. Jackson*, ACM No. S32819 – The record of trial contains 1 volume consisting of 12 prosecution exhibits, 6 defense exhibits, 44 appellate exhibits, and 1 court exhibit. The transcript is 1,520 pages. A1C Jackson is not confined.
7. *United States v. Cannon*, ACM No. 40841 – The record of trial contains 1 volume consisting of 2 prosecution exhibits, 6 defense exhibits, 61 appellate exhibits, and 1 court exhibit. The transcript is 848 pages. A1C Cannon is confined.
8. *United States v. Horne*, ACM No. S32825 – The record of trial contains 2 volumes consisting of 8 prosecution exhibits, 6 defense exhibits, and 40 appellate exhibits. The transcript is 1,176 pages. A1C Horne is not confined.
9. *United States v. Owens*, ACM No. 40833 – The record of trial contains 4 prosecution exhibits, 1 defense exhibit, 4 appellate exhibits, and 1 court exhibit. The transcript is 135 pages. Amn Owens is confined.
10. *United States v. Weaver*, ACM No. 40843 – The record of trial contains 3 prosecution exhibits and 6 appellate exhibits; the transcript is 159 pages. Lt Col Weaver is not confined.

There is good cause to grant this motion in light of undersigned counsel's current workload and the time that may be invested into expediting appellate review of the merits of Appellant's case by granting this motion. Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant's case. Because the filing of each motion for an enlargement of time requires approximately thirty minutes of work, granting the requested motion will return one hour of work to what will be used for review and brief cases, thereby accelerating review of Appellant's case.

Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

**WHEREFORE**, Appellant respectfully requests this Honorable Court, with consent of the Government, grant the requested suspension of the provision of Rule 23.3(m)(2) that caps an appellant's first motion for enlargement at sixty days, and grant an enlargement of 120 days. In the event this Court denies the Consent Motion to Suspend Rule 23.3(m)(2), Appellant respectfully requests this Honorable Court grant a first enlargement of time in accordance with the provisions of Rule 23.3(m)(2).

Respectfully submitted,

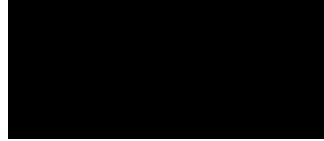
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JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted contact information]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 28 August 2025.



JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



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

<b>UNITED STATES</b>	)	<b>No. ACM S32826</b>
<i>Appellee</i>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
<b>Ryan C. FLANAGAN</b>	)	
<b>Airman First Class (E-3)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	<b>Panel 3</b>

On 28 August 2025, counsel for Appellant moved this court to suspend the portion of Rule 23.3(m)(2) which provides for “up to 60 days” for Appellant’s first enlargement of time, and “to grant a 120-day enlargement of time” to file Appellant’s assignments of error brief, making the brief due not later than 6 January 2026. *See* JT. CT. CRIM. APP. R. 32, A.F. CT. CRIM. APP. R. 23.3(m)(2). Appellate government counsel consents to this suspension of Rule 23.3(m)(2).

In the event this court denies Appellant’s request for a 120-day enlargement of time, counsel for Appellant requests a 60-day enlargement of time, making the brief due not later than 7 November 2025.

The court has considered Appellant’s motion, the Government’s consent, case law, and this court’s Rules of Practice and Procedure.

Accordingly, it is by the court on this 2d day of September, 2025,

**ORDERED:**

Appellant’s Motion to Suspend Rule 23.3(m)(2) is **DENIED**.

Appellant’s Motion for Enlargement of Time (First) is **GRANTED**. Appellant shall file any assignments of error not later than **7 November 2025**.

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

whether Appellant was advised of the request for an enlargement of time, and  
(4) whether Appellant agrees with the request for an enlargement of time.

FOR THE COURT



CAROL K. JOYCE  
Clerk of the Court



consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

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

Respectfully submitted,

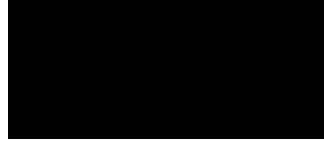
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JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address lines]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 28 October 2025.



JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



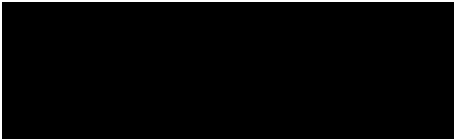

**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.	)	
	)	
	)	Before Panel No. 3
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN,</b>	)	No. ACM S32826
United States Air Force,	)	
<i>Appellant.</i>	)	
	)	30 October 2025

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

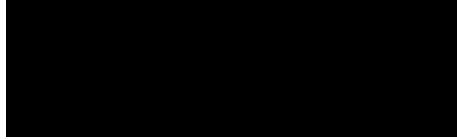
Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

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

  
VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel  


**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force  
Appellate Defense Division on 30 October 2025.



VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel



IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME
	)	(THIRD)
v.	)	
	)	Before Panel No. 3
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN</b>	)	No. ACM S32826
United States Air Force	)	
<i>Appellant</i>	)	26 November 2025

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

Pursuant to Rule 23.3(m)(3) and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant, hereby moves for an enlargement of time to file his Assignments of Error. Appellant requests an enlargement for a period of thirty days, which will end on **6 January 2026**. This case was docketed with this Court on 10 July 2025. From the date of docketing to the present date, 140 days have elapsed. On the date requested, 180 days will have elapsed.

On 17 April 2025, a special court-martial consisting of a military judge alone convicted Appellant, consistent with his pleas, of one specification of indecent conduct, in violation of Article 134, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 934. R. at 125; Charge Sheet; Entry of Judgment.<sup>1</sup> The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to forfeit 1,000 dollars of pay per month for one month, to be confined for 60 days, and to a bad-conduct discharge. R. at 173. The convening authority took no action on the findings or sentence and denied Appellant’s request for deferment of the reduction in grade.

Convening Authority Decision on Action. Appellant’s electronic record of trial is 1 volume



**GRANTED**

**3 DEC 2025**

<sup>1</sup> One additional specification in violation of Article 120c, UCMJ, 10 U.S.C. § 920c, was withdrawn and dismissed pursuant to a plea agreement. R. at 173; Entry of Judgment.

consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

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

Respectfully submitted,

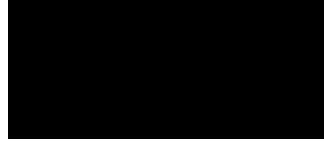
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JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address lines]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 26 November 2025.



JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



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

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.	)	
	)	Before Panel No. 3
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN,</b>	)	No. ACM S32826
United States Air Force.	)	
<i>Appellant</i>	)	2 December 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.

[REDACTED]

VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force  
Appellate Defense Division on 2 December 2025.

[REDACTED]

VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

UNITED STATES	)	No. ACM S32826
<i>Appellee</i>	)	
	)	
v.	)	
	)	<b>NOTICE OF PANEL</b>
<b>Ryan C. FLANAGAN</b>	)	<b>CHANGE</b>
<b>Airman First Class (E-3)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	

It is by the court on this 15th day of December, 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

[REDACTED]  
JACOB B. HOEFERKAMP, Capt, USAF  
Chief Commissioner



Convening Authority Decision on Action. Appellant's electronic record of trial is 1 volume consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: undersigned counsel is currently assigned twenty-six cases; twenty-one of these cases are pending briefs before this Court. Five cases have priority over the present case:

1. *United States v. Bush*, ACM No. 40783 – The record of trial contains 9 volumes consisting of 20 prosecution exhibits, 5 defense exhibits, 1 court exhibit, and 45 appellate exhibits; the transcript is 1,782 pages. SrA Bush is confined.
2. *United States v. Jackson*, ACM No. S32819 – The record of trial contains 1 volume consisting of 12 prosecution exhibits, 6 defense exhibits, 44 appellate exhibits, and 1 court exhibit; the transcript is 1,520 pages. A1C Jackson is not confined.
3. *United States v. Marquez*, ACM No. 40800 – The record of trial contains 7 volumes containing 5 prosecution exhibits, 4 defense exhibits, 43 appellate exhibits, and 3 court exhibits; the transcript is 833 pages. SrA Marquez is confined.
4. *United States v. Cannon*, ACM No. 40841 – The record of trial contains 1 volume consisting of 2 prosecution exhibits, 6 defense exhibits, 61 appellate exhibits, and 1 court exhibit; the transcript is 848 pages. A1C Cannon is confined.
5. *United States v. Horne*, ACM No. S32825 – The record of trial contains 2 volumes consisting of 8 prosecution exhibits, 6 defense exhibits, and 40 appellate exhibits; the transcript is 1,176 pages. A1C Horne is not confined.

Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

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

Respectfully submitted,

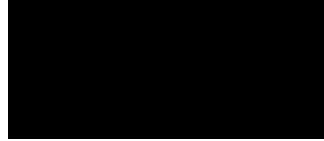
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JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address lines]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 23 December 2025.



JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



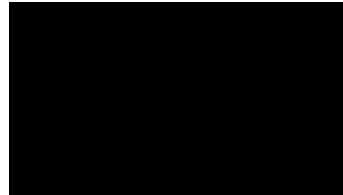
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Airman First Class (E-3)	)	Before Panel No. 2
<b>RYAN C. FLANAGAN,</b>	)	
United States Air Force,	)	No. ACM S32826
<i>Appellant.</i>	)	
	)	30 December 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.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel



**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 30 December 2025.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel



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

<b>UNITED STATES</b>	)	<b>No. ACM S32826</b>
<i>Appellee</i>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
<b>Ryan C. FLANAGAN</b>	)	
<b>Airman First Class (E-3)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	<b>Panel 2</b>

On 26 January 2026, counsel for Appellant submitted a Motion for Enlargement of Time (Fifth) requesting an additional 30 days to submit Appellant’s assignments of error. Appellant’s counsel indicated “he has been unable to complete his review and prepare a brief for Appellant’s case.” The Government opposes the motion.

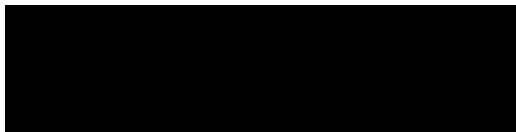
The court has considered Appellant’s motion, the Government’s opposition, case law, and this court’s Rules of Practice and Procedure.

Accordingly, it is by the court on this 29th day of January, 2026,

**ORDERED:**

Appellant’s Motion for Enlargement of Time (Fifth) is **GRANTED**. Appellant shall file any assignments of error not later than **7 March 2026**.

Appellant’s counsel is advised that given the number of enlargements granted thus far, any further requests for an enlargement of time may necessitate a status conference to determine the progress being made on Appellant’s case per this court’s Rule 23.3(m)(6). A.F. CT. CRIM. APP. R. 23.3(m)(6).



JACOB B. HOEFERKAMP, Capt, USAF  
Chief Commissioner



Convening Authority Decision on Action. Appellant's electronic record of trial is 1 volume consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: undersigned counsel is currently assigned thirty-one cases; twenty-six of these cases are pending briefs before this Court. Six cases have priority over the present case:

1. *United States v. Bush*, ACM No. 40783 – The record of trial contains 9 volumes consisting of 20 prosecution exhibits, 5 defense exhibits, 1 court exhibit, and 45 appellate exhibits; the transcript is 1,782 pages. SrA Bush is confined.
2. *United States v. Jackson*, ACM No. S32819 – The record of trial contains 1 volume consisting of 12 prosecution exhibits, 6 defense exhibits, 44 appellate exhibits, and 1 court exhibit; the transcript is 1,520 pages. A1C Jackson is not confined.
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4. *United States v. Cannon*, ACM No. 40841 – The record of trial contains 1 volume consisting of 2 prosecution exhibits, 6 defense exhibits, 61 appellate exhibits, and 1 court exhibit; the transcript is 848 pages. A1C Cannon is confined.
5. *United States v. Kelly*, ACM No. 40710 – The record of trial contains 1 volume consisting of 6 prosecution exhibits, 8 defense exhibits, and 12 appellate exhibits; the transcript is 172 pages. TSgt Kelly is confined.

6. *United States v. Horne*, ACM No. S32825 – The record of trial contains 2 volumes consisting of 8 prosecution exhibits, 6 defense exhibits, and 40 appellate exhibits; the transcript is 1,176 pages. A1C Horne is not confined.

Since requesting Appellant’s previous enlargement of time, undersigned counsel delivered an oral argument before the Court of Appeals for the Armed Forces in *United States v. Johnson*, 25-0202/AF and began preparing a reply to the Government’s Answer in *United States v. Fischer*, ACM No. 40786. Undersigned counsel was also out of the office in observance of the Christmas, New Year’s Day, and Marin Luther King Jr. Day holidays on 24-26 December 2025, 1-2 January 2026, and 16, 19 January 2026.

Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant’s case. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant’s case. Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel’s progress on Appellant’s case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

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

Respectfully submitted,

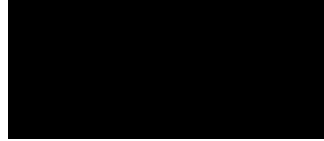
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JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address lines]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 26 January 2026.



JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



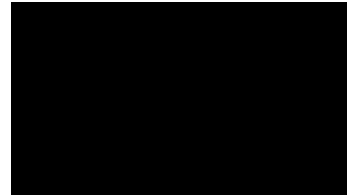
**IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
	)	
Airman First Class (E-3)	)	Before Panel No. 2
<b>RYAN C. FLANAGAN,</b>	)	
United States Air Force,	)	No. ACM S32826
<i>Appellant.</i>	)	
	)	28 January 2026
	)	

**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.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel



**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 28 January 2026.



KATE E. LEE, Maj, USAF  
Appellate Government Counsel





consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: undersigned counsel is currently assigned forty-one cases; thirty of these cases are pending briefs before this Court. Ten cases have priority over the present case:

1. *United States v. Slayton*, USCA Dkt. No. 26-0077/AF, ACM No. 40583 – On 29 December 2025, Major General Mitchel Neurock certified three issues for the CAAF to review. The Government brief in support of the certified issues was filed on 9 February 2026. Undersigned counsel's answer is due 7 March 2026.
2. *United States v. Robinson*, ACM No. 24044 (f rev) – The record of trial contains 10 volumes consisting of 22 prosecution exhibits, 8 defense exhibits, and 58 appellate exhibits; the transcript is 1,112 pages. SSgt Robinson is not confined as the result of his court-martial conviction.
3. *United States v. Kelly*, ACM No. 40710 – The record of trial contains 9 volumes consisting of 6 prosecution exhibits, 8 defense exhibits, and 12 appellate exhibits; the transcript is 172 pages. TSgt Kelly is confined.
4. *United States v. Raines*, ACM No. 40765 – The record of trial contains 20 prosecution exhibits, 10 defense exhibits, and 143 appellate exhibits; the transcript is 2,444 pages. MSgt Raines is confined.
5. *United States v. Bush*, ACM No. 40783 – The record of trial contains 9 volumes consisting of 20 prosecution exhibits, 5 defense exhibits, 1 court exhibit, and 45 appellate exhibits; the transcript is 1,782 pages. SrA Bush is confined.

6. *United States v. Marquez*, ACM No. 40800 – The record of trial contains 7 volumes consisting of 5 prosecution exhibits, 4 defense exhibits, 43 appellate exhibits, and 3 court exhibits; the transcript is 833 pages. SrA Marquez is confined.
7. *United States v. Jackson*, ACM No. S32819 – The record of trial is 1 volume consisting of 12 prosecution exhibits, 6 defense exhibits, 44 appellate exhibits, and 1 court exhibit; the transcript is 1,529 pages. A1C Jackson is not confined.
8. *United States v. Cannon*, ACM No. 40841 – The record of trial is 1 volume consisting of 2 prosecution exhibits, 6 defense exhibits, 61 appellate exhibits, and 1 court exhibit; the transcript is 848 pages. A1C Cannon is confined.
9. *United States v. Horne*, ACM No. S32825 – The record of trial contains 2 volumes consisting of 8 prosecution exhibits, 6 defense exhibits, and 40 appellate exhibits; the transcript is 1,176 pages. A1C Horne is not confined.
10. *United States v. Weaver*, ACM No. 40843 – The record of trial contains 1 volume consisting of 3 prosecution exhibits and 6 appellate exhibits; the transcript is 159 pages. Lt Col Weaver is not confined.

Since requesting Appellant's previous enlargement of time, undersigned counsel prepared and filed three substantive filings: (1) a petition for reconsideration in *United States v. Hennessy*, USCA Dkt. No. 25-0012/AF, ACM No. 40439; (2) a reply brief to the Government's Answer in *United States v. Fischer*, ACM No. 40786; and (3) a reply to the Government's motion for reconsideration in *United States v. Marschalek*, ACM No. S32776. Undersigned counsel also prepared for and participated as a moot judge in eight moot arguments and attended three oral argument at the CAAF (*United States v. Menard*, USCA Dkt. No. 25-0173/AF; *United States v. Marin-Perez*, USCA Dkt. No. 25-0238/AF; *United States v. Hunt*, USCA Dkt. No. 25-0257/AF),

requiring approximately thirty hours of work. Additionally, undersigned counsel has prepared and filed eighteen motions for enlargements of time for the CAAF and this Court, requiring approximately nine hours of work.

Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant's case. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

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

Respectfully submitted,

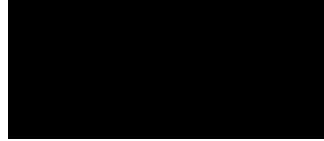
[Redacted signature]

JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address lines]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 25 February 2026.



JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



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

<b>UNITED STATES,</b>	)	UNITED STATES' GENERAL
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.	)	
	)	Before Panel No. 2
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN,</b>	)	No. ACM S32826
United States Air Force.	)	
<i>Appellant</i>	)	27 February 2026

**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.

[REDACTED]

VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 27 February 2026.

[REDACTED]

VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**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</b>
	)	<b>(SEVENTH)</b>
v.	)	
	)	Before Panel No. 2
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN</b>	)	No. ACM S32826
United States Air Force	)	
<i>Appellant</i>	)	27 March 2026

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

Pursuant to Rule 23.3(m)(1), (3), and (4) of this Honorable Court’s Rules of Practice and Procedure, Appellant, hereby moves for an enlargement of time to file his Assignments of Error. Appellant requests an enlargement for a period of thirty days, which will end on **6 May 2026**. This case was docketed with this Court on 10 July 2025. From the date of docketing to the present date, 260 days have elapsed. On the date requested, 300 days will have elapsed.

On 17 April 2025, a special court-martial consisting of a military judge alone convicted Appellant, consistent with his pleas, of one specification of indecent conduct, in violation of Article 134, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 934. R. at 125; Charge Sheet; Entry of Judgment.<sup>1</sup> The military judge sentenced Appellant to be reprimanded, to be reduced to the grade of E-1, to forfeit 1,000 dollars of pay per month for one month, to be confined for 60 days, and to a bad-conduct discharge. R. at 173. The convening authority took no action on the sentence or sentence and denied Appellant’s request for deferment of the reduction in grade.



**GRANTED**

**1 APR 2026**

<sup>1</sup> One additional specification in violation of Article 120c, UCMJ, 10 U.S.C. § 920c, was withdrawn and dismissed pursuant to a plea agreement. R. at 173; Entry of Judgment.

consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: undersigned counsel is currently assigned thirty-four cases; twenty-seven of these cases are pending briefs before this Court. Twelve cases have priority over the present case:

1. *United States v. Slayton*, USCA Dkt. No. 26-0077/AF, ACM No. 40583 – On 29 December 2025, Major General Mitchel Neurock certified three issues for the Court of Appeals for the Armed Forces (CAAF) to review. Undersigned counsel is currently preparing for the oral argument at the CAAF, which is scheduled for 29 April 2026.
2. *United States v. Robinson*, ACM No. 24044 (f rev) – The record of trial contains 10 volumes consisting of 22 prosecution exhibits, 8 defense exhibits, and 58 appellate exhibits; the transcript is 1,112 pages. SSgt Robinson is not confined as the result of his court-martial conviction.
3. *United States v. Anderson*, ACM No. 40654 – Appellant’s reply to the Government’s Answer is due on 9 April 2026. SSgt Anderson is confined.
4. *United States v. Kelly*, ACM No. 40710 – The record of trial contains 9 volumes consisting of 6 prosecution exhibits, 8 defense exhibits, and 12 appellate exhibits; the transcript is 172 pages. TSgt Kelly is confined.
5. *United States v. Raines*, ACM No. 40765 – The record of trial contains 20 prosecution exhibits, 10 defense exhibits, and 143 appellate exhibits; the transcript is 2,444 pages. MSgt Raines is confined.

6. *United States v. Hennessy*, ACM No. 40439 (rem) – The record of trial was returned to this Court and docketed on 24 March 2026. This Court authorized counsel to submit briefs not later than 23 May 2026. A1C Hennessy is not confined.
7. *United States v. Bush*, ACM No. 40783 – The record of trial contains 9 volumes consisting of 20 prosecution exhibits, 5 defense exhibits, 1 court exhibit, and 45 appellate exhibits; the transcript is 1,782 pages. SrA Bush is confined.
8. *United States v. Marquez*, ACM No. 40800 – The record of trial contains 7 volumes consisting of 5 prosecution exhibits, 4 defense exhibits, 43 appellate exhibits, and 3 court exhibits; the transcript is 833 pages. SrA Marquez is confined.
9. *United States v. Jackson*, ACM No. S32819 – The record of trial is 1 volume consisting of 12 prosecution exhibits, 6 defense exhibits, 44 appellate exhibits, and 1 court exhibit; the transcript is 1,529 pages. A1C Jackson is not confined.
10. *United States v. Cannon*, ACM No. 40841 – The record of trial is 1 volume consisting of 2 prosecution exhibits, 6 defense exhibits, 61 appellate exhibits, and 1 court exhibit; the transcript is 848 pages. A1C Cannon is confined.
11. *United States v. Horne*, ACM No. S32825 – The record of trial contains 2 volumes consisting of 8 prosecution exhibits, 6 defense exhibits, and 40 appellate exhibits; the transcript is 1,176 pages. A1C Horne is not confined.
12. *United States v. Weaver*, ACM No. 40843 – The record of trial contains 1 volume consisting of 3 prosecution exhibits and 6 appellate exhibits; the transcript is 159 pages. Lt Col Weaver is not confined.

Since requesting Appellant's previous enlargement of time, undersigned counsel prepared five filings for *United States v. Slayton*, USCA Dkt. No. 26-0077/AF, ACM No. 40583: an answer on behalf of Appellee, a motion to dismiss for lack of jurisdiction, a motion to submit documents, a motion to amend Appellee's answer brief, and a motion to withdraw motions to dismiss and submit documents. Undersigned counsel also prepared and filed a motion to withdraw from appellate review in *United States v. Diaz*, ACM No. 40917, and prepared motions to withdraw as appellate counsel for *United States v. Northrup*, ACM No. 40854, and *United States v. Willard*, ACM No. 40905. Additionally, undersigned counsel has prepared and filed twenty motions for enlargements of time for the CAAF and this Court, requiring approximately 10 hours of work to complete, and dedicated approximately twenty-four hours to reviewing Records of Trials for other assigned cases.

Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant's case. Undersigned has reviewed the charge sheet, Entry of Judgment, portions of the transcript, and exhibit lists, but has not completed a full review of the Record of Trial. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

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

Respectfully submitted,

[Redacted signature]

JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address lines]

**CERTIFICATE OF FILING AND SERVICE**

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 27 March 2026.

[Redacted signature]

JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address lines]

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

<b>UNITED STATES,</b>	)	UNITED STATES'
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.	)	
	)	Before Panel No. 2
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN,</b>	)	No. ACM S32826
United States Air Force.	)	
<i>Appellant</i>	)	31 March 2026

**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.

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

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

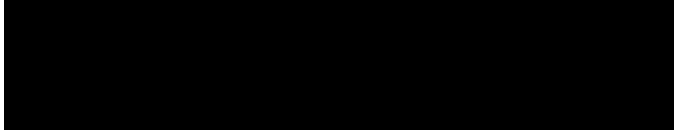


VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel



**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 March 2026.



VANESSA BAIROS, Maj, USAF  
Appellate Government Counsel



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

<b>UNITED STATES</b>	)	<b>No. ACM S32826</b>
<i>Appellee</i>	)	
	)	
<b>v.</b>	)	
	)	<b>ORDER</b>
<b>Ryan C. FLANAGAN</b>	)	
<b>Airman First Class (E-3)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	<b>Panel 2</b>

On 26 April 2026, counsel for Appellant submitted a Motion for Enlargement of Time (Eighth) requesting an additional 30 days to submit Appellant’s assignments of error. The Government opposed the motion and noted that “[i]f Appellant’s new delay request is granted, the defense delay in this case will be 330 days in length.”

On 1 May 2026, the court held a status conference to discuss the progress of this case. Appellant was represented by Captain Joshua L. Lopes; Lieutenant Colonel Allen S. Abrams from the Appellate Defense Division was also present. Major Allison R. Gish represented the Government. In response to questions from the court, Captain Lopes gave a status update on the first eight cases he has prioritized above Appellant’s case. Lieutenant Colonel Abrams discussed the Appellate Defense Division’s manning over the next couple of months and through the summer rotation. Lieutenant Colonel Abrams indicated that two cases currently assigned to Appellant’s counsel were in the process of being re-assigned. One of those cases is Appellant’s case which was being re-assigned to Mr. Dwight Sullivan. Major Gish did not dispute any representation made by the Defense and stands by the Government’s submitted opposition to Appellant’s request for an eighth enlargement of time.

Accordingly, it is by the court on this 4th day of May, 2026,

**ORDERED:**

Appellant’s Motion for Enlargement of Time (Eighth) is **GRANTED**. Appellant shall file any assignments of error **not later than 5 June 2026**.

Appellant's counsel is advised that given the number of enlargements granted thus far, the court will continue to closely examine any further requests for an enlargement of time.

FOR THE COURT



CAROL K. JOYCE  
Clerk of the Court



Appellant's electronic record of trial is 1 volume consisting of 2 prosecution exhibits, 19 defense exhibits, 17 appellate exhibits, and 1 court exhibit; the transcript is 175 pages. Appellant is not confined.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), undersigned counsel also provides the following information: undersigned counsel is currently assigned thirty-three cases; twenty-four of these cases are pending briefs before this Court. Ten cases have priority over the present case:

1. *United States v. Slayton*, USCA Dkt. No. 26-0077/AF, ACM No. 40583 – This case is pending before the Court of Appeals for the Armed Forces (CAAF). Oral argument was scheduled for 29 April 2026. On 2 April 2026 the CAAF informed undersigned counsel that oral argument would not be held on 29 April 2026 and has not indicated whether oral argument would be rescheduled for a new date.
2. *United States v. Kelly*, ACM No. 40710 – The record of trial contains 9 volumes consisting of 6 prosecution exhibits, 8 defense exhibits, and 12 appellate exhibits; the transcript is 172 pages. TSgt Kelly is confined.
3. *United States v. Raines*, ACM No. 40765 – The record of trial contains 20 prosecution exhibits, 10 defense exhibits, and 143 appellate exhibits; the transcript is 2,444 pages. MSgt Raines is confined.
4. *United States v. Hennessy*, ACM No. 40439 (rem) – The record of trial was returned to this Court and docketed on 24 March 2026. This Court authorized counsel to submit briefs not later than 23 May 2026. A1C Hennessy is not confined.

5. *United States v. Bush*, ACM No. 40783 – The record of trial contains 9 volumes consisting of 20 prosecution exhibits, 5 defense exhibits, 1 court exhibit, and 45 appellate exhibits; the transcript is 1,782 pages. SrA Bush is confined.
6. *United States v. Marquez*, ACM No. 40800 – The record of trial contains 7 volumes containing 5 prosecution exhibits, 4 defense exhibits, 43 appellate exhibits, and 3 court exhibits; the transcript is 833 pages. SrA Marquez is confined.
7. *United States v. Jackson*, ACM No. S32819 – The record of trial contains 1 volume consisting of 12 prosecution exhibits, 6 defense exhibits, 44 appellate exhibits, and 1 court exhibit; the transcript is 1,520 pages. A1C Jackson is not confined.
8. *United States v. Cannon*, ACM No. 40841 – The record of trial contains 1 volume consisting of 2 prosecution exhibits, 6 defense exhibits, 61 appellate exhibits, and 1 court exhibit; the transcript is 848 pages. A1C Cannon is confined.
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10. *United States v. Weaver*, ACM No. 40843 – The record of trial contains 1 volume consisting of 3 prosecution exhibits and 6 appellate exhibits; the transcript is 159 pages. Lt Col Weaver is not confined.

Since requesting Appellant's previous enlargement of time, undersigned counsel reviewed this Court's copy of the Record of Trial in *United States v. Kelly*, ACM No. 40710, and filed a Motion for Leave to File and a Motion for Remand in *Kelly*. Undersigned counsel also conducted a peer review for *United States v. Chatman*, ACM No. 40779, and assisted with preparing and filing the Motion for Leave to File and Reply Brief Out of Time in *United States v. Anderson*,

ACM No. 40654. Additionally, undersigned counsel participated as a moot judge for four moot arguments, requiring approximately twelve hours of time, and filed twelve motions for enlargements of time in other cases for the CAAF and this Court, requiring approximately six hours of work to complete. Lastly, undersigned counsel was sworn in to the Bar of the Supreme Court of the United States on 17 April 2026.

Through no fault of Appellant, undersigned counsel has been unable to complete his review and prepare a brief for Appellant's case. Undersigned has reviewed the charge sheet, Entry of Judgment, portions of the transcript, and exhibit lists, but has not completed a full review of the Record of Trial. An enlargement of time is necessary to allow counsel to advise Appellant of potential issues and prepare a brief for Appellant's case. Appellant was advised of his right to a timely appeal, was provided an update of the status of counsel's progress on Appellant's case, was advised of this request for an enlargement of time, and expressed agreement with necessary requests for enlargements of time, to include this request.

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

Respectfully submitted,

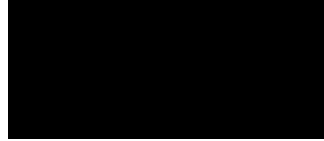
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JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel

[Redacted address]

**CERTIFICATE OF FILING AND SERVICE**

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JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



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

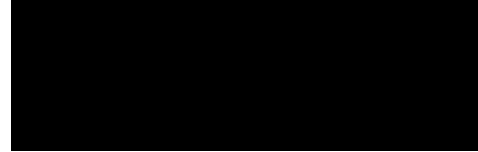
<b>UNITED STATES,</b>	)	UNITED STATES'
	)	OPPOSITION TO
<i>Appellee,</i>	)	APPELLANT'S MOTION FOR
	)	ENLARGEMENT OF TIME
v.	)	
	)	Before Panel No. 2
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN,</b>	)	No. ACM S32826
United States Air Force.	)	
<i>Appellant</i>	)	28 April 2026

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

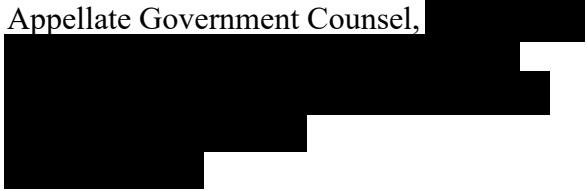
Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its general opposition to Appellant's Motion for Enlargement of Time to file an Assignment of Error in this case.

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

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



REGINA HENENLOTTER, Maj, USAF  
Appellate Government Counsel,



**CERTIFICATE OF FILING AND SERVICE**

I certify that a copy of the foregoing was delivered to the Court and to the Air Force Appellate Defense Division on 28 April 2026.



REGINA HENENLOTTER, Maj, USAF  
Appellate Government Counsel, [REDACTED]



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

UNITED STATES,	)	<b>APPELLANT’S MOTION TO</b>
<i>Appellee</i>	)	<b>EXAMINE SEALED MATERIAL</b>
v.	)	
	)	Before Panel 2
Airman First Class (E-3)	)	
<b>Ryan C. Flanagan,</b>	)	No. ACM S32826
United States Air Force,	)	
<i>Appellant.</i>	)	1 May 2026

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

COMES NOW Appellant Airman First Class Ryan C. Flanagan, by and through his undersigned counsel,<sup>1</sup> and pursuant to Rules 3.1(c) and 23.3(f) of this Honorable Court’s Rules of Practice and Procedure and Rule for Courts-Martial 1113(b)(3)(B)(i), *Manual for Courts-Martial, United States* (2024 ed.), moves for both parties to be permitted to examine pages 27 to 37 of the trial transcript, attachment 2 to Prosecution Exhibit 1, Appellate Exhibits VI through VIII, and the audio recording of the closed court-martial session on 4 March 2025, all of which are sealed. Both parties had access to those sealed materials at trial. *See* Trial Tr. 21–22, 25–26, 90–94, 174–75; App. Exs. IX, XVII.

In accordance with R.C.M. 1113(b)(3)(B)(i), which requires a colorable showing that examination of these matters is reasonably necessary to appellate counsel’s responsibilities, undersigned counsel assert that review of the referenced items is necessary to conduct a complete review of the record of trial, determine whether the record of trial is complete, and be in a position to advocate competently on behalf of Appellant. As such, examination of these exhibits is reasonably necessary since appellant’s counsel cannot fulfill their duties of representation under

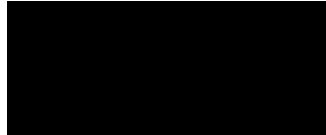
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<sup>1</sup> Pursuant to Rule 12(a) of the Joint Rules of Appellate Procedure for Courts of Criminal Appeals, the undersigned government-employed civilian counsel’s filing of this motion constitutes an entry of appearance as co-counsel for Appellant.

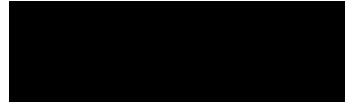
Article 70, Uniform Code of Military Justice, 10 U.S.C. § 870, without first reviewing the complete record of trial.

**WHEREFORE**, Appellant respectfully requests that this Honorable Court grant this motion.

Respectfully submitted,



Joshua L. Lopes, Capt, USAF  
Appellate Defense Counsel



Dwight H. Sullivan  
Appellate Defense Counsel

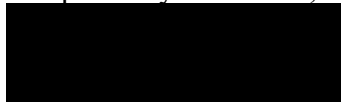


Counsel for Appellant

**CERTIFICATE OF FILING AND SERVICE**

I certify that the foregoing was sent via email to the Court and served on the Government Trial and Appellate Operations Division on 1 May 2026.

Respectfully submitted,



Dwight H. Sullivan  
Appellate Defense Counsel



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

<b>UNITED STATES,</b>	)	UNITED STATES' RESPONSE
	)	TO APPELLANT'S MOTION
<i>Appellee,</i>	)	TO EXAMINE SEALED
	)	MATERIAL
v.	)	
	)	Before Panel No. 2
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN,</b>	)	No. ACM S32826
United States Air Force.	)	
<i>Appellant</i>	)	1 May 2026

**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 does not oppose Appellant's Motion to examine sealed material so long as both parties are permitted to examine the sealed material.

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

[REDACTED]

MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division

[REDACTED]

**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 1 May 2026.



MARY ELLEN PAYNE  
Associate Chief, Government Trial and  
Appellate Operations Division



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

<b>UNITED STATES</b>	)	<b>No. ACM S32826</b>
<i>Appellee</i>	)	
	)	
v.	)	
	)	<b>ORDER</b>
<b>Ryan C. FLANAGAN</b>	)	
<b>Airman First Class (E-3)</b>	)	
<b>U.S. Air Force</b>	)	
<i>Appellant</i>	)	<b>Panel 2</b>

On 1 May 2026, counsel for Appellant submitted a Motion to Examine Sealed Materials. Specifically, counsel seeks to examine transcript pages 27–37; Attachment 2 to Prosecution Exhibit 1; Appellate Exhibits VI through VIII; and the audio recording of the closed court-martial session on 4 March 2025. The Government does not oppose the motion provided both parties are permitted to examine the sealed materials.

Upon the court’s review of the requested sealed material, the court discovered that additional materials were sealed, specifically, Appellate Exhibit III, Attachments 5 and 6. While Appellant’s counsel did not specifically request to view these materials, we construe the scope of the motion to include all materials that both parties had access to at trial and that were subsequently ordered sealed.

Appellate counsel may examine sealed materials released to counsel at trial “upon a colorable showing . . . that examination is reasonably necessary to a proper fulfillment of the appellate counsel’s responsibilities.” R.C.M. 1113(b)(3)(B)(i), *Manual for Courts-Martial, United States* (2024 ed.).

The court has considered Appellant’s motion, the Government’s response, case law, and this court’s Rules of Practice and Procedure. The court finds Appellant’s counsel has made a colorable showing that review of the sealed material is necessary to fulfill counsel’s duties of representation to Appellant.

Accordingly, it is by the court on this 6th day of May, 2026,

**ORDERED:**

Appellant’s Motion to Examine Sealed Materials is **GRANTED**.

Appellate defense counsel and appellate government counsel may view **transcript pages 27–37; Attachment 2 to Prosecution Exhibit 1;**

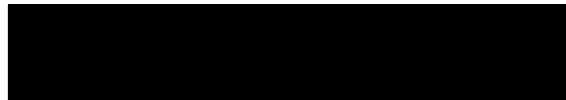
**Appellate Exhibits VI through VIII; the audio recording of the closed court-martial session on 4 March 2025; and Attachments 5 and 6 to Appellate Exhibit III**, subject to the following conditions:

To view the sealed materials, counsel will coordinate with the court.

No counsel granted access to the materials may photocopy, photograph, reproduce, disclose, or make available the content to any other individual without the court's prior written authorization.



FOR THE COURT



AGNIESZKA M. GAERTNER, Capt, USAF  
Commissioner

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	APPELLANT’S MOTION FOR
	)	ENLARGEMENT OF TIME
<i>Appellee</i>	)	(NINTH)
	)	
	)	
v.	)	
	)	Before Panel No. 2
Airman First Class (E-3)	)	
<b>Ryan C. Flanagan,</b>	)	No. ACM S32826
United States Air Force,	)	
<i>Appellant</i>	)	28 May 2026

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

Pursuant to Rule 23.3(m)(1), (3), (4), and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for a ninth enlargement of time to file his brief.

Appellant’s case was docketed on 10 July 2025. The current due date for Appellant’s brief is 5 June 2026. Appellant requests an enlargement for a period of thirty calendar days, which would expire on **5 July 2026**.<sup>1</sup> From the date of docketing to today, 322 days have elapsed. On the requested date, 360 days will have elapsed.

On 17 April 2025, a special court-martial consisting of a military judge alone convicted Appellant, consistent with his pleas, of one specification of indecent conduct, in violation of Article 134, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 934. Charge Sheet; Trial Tr. 88, 125.<sup>2</sup> The military judge sentenced Appellant a reprimand, reduction to the grade of E-1, forfeiture of \$1,000 pay per month for one month, confinement for 60 days, and a bad-conduct

<sup>1</sup> 5 July 2026 is a Sunday. Therefore, pursuant to Rule 15 of the Joint Rules of Appellate Practice for the United States Air Force Court of Criminal Appeals, a brief filed on Monday, 6 July—the first day after the due date that is not a weekend or holiday—will be timely filed.

<sup>2</sup> One specification alleging a violation of Article 120c, UCMJ, 10 U.S.C. § 920c, was withdrawn and dismissed pursuant to a plea agreement. Trial Tr. 173.



**GRANTED**  
**2 JUN 2026**

discharge. Trial Tr. 173. The convening authority took no action on the findings or sentence and denied Appellant's request for deferment of the reduction in grade. Convening Authority Decision on Action.

The record of trial consists of one electronic volume, which includes two prosecution exhibits, nineteen defense exhibits, seventeen appellate exhibits, and one court exhibit. The transcript is 175 pages. Appellant is not confined.

In accordance with this Court's order of 2 September 2025, counsel note the following: (1) Appellant has been advised of his right to timely appeal; (2) Appellant has been updated on the status of counsel's progress on his case; (3) Appellant was advised of this motion for ninth enlargement of time; and (4) Appellant agreed to a request for a ninth enlargement of time.

On 1 May 2026, the undersigned government-employed civilian counsel entered into an attorney-client relationship with Appellant. The undersigned government-employed civilian counsel will be Appellant's lead appellate defense counsel. He has reviewed the trial transcript in full but has not yet completed review of the exhibits and accompanying materials in the record of trial. He has identified issues to be briefed. Additional time is required to complete that brief and to consult further with Appellant.

Pursuant to A.F. Ct. Crim. App. R. 23.3(m)(6), counsel provide the following information.

The undersigned government-employed civilian counsel is currently assigned twenty cases. Six of those cases, including this one, are pending initial briefing before this Court. All of those cases other than this were fully contested courts-martial. He prioritizes three of those cases above this one:

1. *United States v. Bowers*, No. ACM 40838 (f rev), a case on first enlargement that was originally docketed on 27 June 2025 before this Court remanded the case for correction

of the record of trial. The undersigned government-employed civilian counsel has reviewed the transcript in *Bowers* and has identified issues to be briefed. Counsel will probably be able to complete and file that brief without seeking any additional enlargements.

2. *United States v. Smith*, No. ACM 40782 (f rev), a case on first enlargement that was originally docketed on 25 February 2025 before this Court remanded the case for correction of the record of trial. The undersigned government-employed civilian counsel has reviewed the complete record in *Smith* and has identified issues to be briefed.
3. *United States v. Jackson*, No. ACM S32819, a case on eleventh enlargement that was docketed on 9 April 2025. The undersigned government-employed civilian counsel formed an attorney-client relationship with the appellant on 19 May 2026. He has reviewed the trial transcript in full but has not yet completed review of the exhibits and accompanying materials in the record of trial. He has identified issues to be briefed and has moved for a twelfth enlargement of time.

Additionally, the undersigned government-employed civilian counsel is the lead appellate defense counsel in *United States v. Kindred*, No. ACM 40607 (f rev), USCA Dkt. No. 26-0204/AF. The deadline for filing the supplement to the petition for grant of review at the Court of Appeals for the Armed Forces in *Kindred* is 16 June 2026. Counsel necessarily prioritizes that filing above briefing in this case. Additionally, both the Chief and Deputy Chief of the Air Force Appellate Defense Division are currently out of the office attending a three-week course. That has resulted in some leadership responsibilities that they normally perform devolving onto the undersigned

government-employed civilian counsel. That further limits the time he has available to prepare the brief in this case, thus further supporting this request for an enlargement of time.

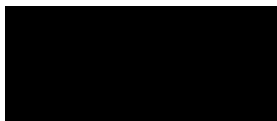
Undersigned military counsel is currently assigned forty-one cases; thirty-two of those cases are pending briefs before this Court. Eight cases have priority over the present case:

1. *United States v. Kelly*, ACM No. 40710 – The record of trial contains 6 volumes consisting of 19 prosecution exhibits, 20 defense exhibits, and 30 appellate exhibits; the transcript is 657 pages. TSgt Kelly is not confined. Undersigned counsel has fully reviewed TSgt Kelly’s record of trial and is drafting the AOE brief.
2. *United States v. Raines*, ACM No. 40765, a case on fourteenth enlargement with a confined appellant. Counsel have completed a brief on behalf of the appellant that they are currently preparing to file.
3. *United States v. Bush*, ACM No. 40783 – The record of trial contains 9 volumes consisting of 20 prosecution exhibits, 5 defense exhibits, 1 court exhibit, and 45 appellate exhibits; the transcript is 1,782 pages. SrA Bush is confined. Undersigned military counsel has fully reviewed the record of trial and has identified multiple potential assignments of error. Undersigned military counsel has begun drafting a brief on behalf of SrA Bush.
4. *United States v. Marquez*, ACM No. 40800 – The record of trial contains 7 volumes consisting of 5 prosecution exhibits, 4 defense exhibits, 43 appellate exhibits, 3 court exhibits; the transcript is 833 pages. SrA Marquez is in confinement. Undersigned military counsel has reviewed the charge sheet, entry of judgment, all appellate exhibits, and approximately 1,000 pages of relevant medical records but has not completed a full review of the record.

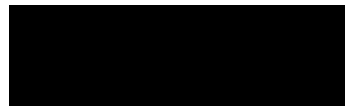
5. *United States v. Jackson*, ACM No. S32819 – The ROT is 1 volume consisting of 12 prosecution exhibits, 6 defense exhibits, 44 appellate exhibits, and 1 court exhibit; the transcript is 1,529 pages. A1C Jackson is not confined.
6. *United States v. Cannon*, ACM No. 40841 – The ROT is 1 volume consisting of 2 prosecution exhibits, 6 defense exhibits, 61 appellate exhibits, and 1 court exhibit; the transcript is 848 pages. A1C Cannon is confined.
7. *United States v. Horne*, ACM No. S32825 – The ROT is 2 volumes consisting of 8 prosecution exhibits, 6 defense exhibits, and 40 appellate exhibits; the transcript is 1,176. A1C Horne is not confined.
8. *United States v. Weaver*, ACM No. 40843 – The ROT is 1 volume consisting of 3 prosecution exhibits and 6 appellate exhibits; the transcript is 159 pages. Lt Col Weaver is not confined.

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

Respectfully submitted,



JOSHUA L. LOPES, Capt, USAF  
Appellate Defense Counsel



Dwight H. Sullivan  
Appellate Defense Counsel

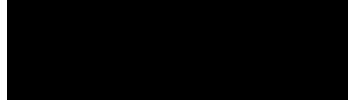


Counsel for Appellant

**CERTIFICATE OF FILING AND SERVICE**

I certify that the foregoing was sent via email to the Court and served on the Government Trial and Appellate Operations Division on 28 May 2026.

Respectfully submitted,

A solid black rectangular redaction box covering the signature of Dwight H. Sullivan.

Dwight H. Sullivan  
Appellate Defense Counsel

A large, irregular black redaction box covering contact information, including what appears to be a phone number and an email address.

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

<b>UNITED STATES,</b>	)	UNITED STATES' OPPOSITION
	)	TO APPELLANT'S MOTION FOR
<i>Appellee,</i>	)	ENLARGEMENT OF TIME
	)	
v.	)	
	)	Before Panel No. 2
Airman First Class (E-3)	)	
<b>RYAN C. FLANAGAN,</b>	)	No. ACM S32826
United States Air Force.	)	
<i>Appellant</i>	)	1 June 2026

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

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

The United States respectfully maintains that short of a death penalty case or other extraordinary circumstances, it should not take any appellant nearly a year to submit an assignment of error to this Court. If Appellant's new delay request is granted, the defense delay in this case will be 360 days in length. Appellant's year long delay practically ensures this Court will not be able to issue a decision that complies with our superior Court's appellate processing standards. Appellant has already consumed almost two-thirds of the 18 month standard for this Court to issue a decision, which only leaves about 6 months combined for the United States and this Court to perform their separate statutory responsibilities. It appears that Appellant's counsel has not completed review of the record of trial at this late stage of the appellate process.

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

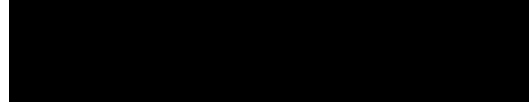
[REDACTED]

HEATHER R. BEZOLD, Maj, USAF  
Appellate Government Counsel

[REDACTED]

**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 1 June 2026.



HEATHER R. BEZOLD, Maj, USAF  
Appellate Government Counsel



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

UNITED STATES,	)	<b>APPELLANT’S MOTION TO</b>
	)	<b>WITHDRAW FROM APPELLATE</b>
<i>Appellee,</i>	)	<b>REVIEW AND ATTACH</b>
	)	
v.	)	Before Panel No. 2
	)	
Airman First Class (E-3)	)	No. ACM S32826
<b>Ryan C. Flanagan,</b>	)	
United States Air Force,	)	
<i>Appellant.</i>	)	2 June 2026

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

Pursuant to Rule 16 of the Joint Rules of Appellate Practice for Courts of Criminal Appeals (JRAP) and Rule for Courts-Martial (R.C.M.) 1115, *Manual for Courts-Martial, United States* (2024 ed.), Appellant, Airman First Class Ryan C. Flanagan, moves to withdraw his case from appellate review. Appellant has consulted fully with Dwight H. Sullivan, 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) of the JRAP and Rule 23.3(b) of this Court’s Rules of Practice and Procedure, undersigned counsel asks this Court to attach the document appended to this motion 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,



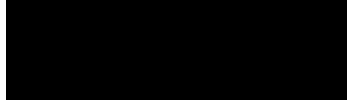
Dwight H. Sullivan  
Appellate Defense Counsel



**CERTIFICATE OF FILING AND SERVICE**

I certify that the foregoing was sent via email to the Court and served on the Government Trial and Appellate Operations Division on 2 June 2026.

Respectfully submitted,



Dwight H. Sullivan  
Appellate Defense Counsel  
Air Force Appellate Defense Division