

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

UNITED STATES)	No. ACM 40612
<i>Appellee</i>)	
)	
v.)	
	)	ORDER
Patrick A. TYSON)	
Staff Sergeant (E-5))	
U.S. Air Force)	
<i>Appellant</i>	)	Panel 2

On 3 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 10th day of July, 2024,

ORDERED:

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

* In his motion, Appellant's counsel erroneously entered the ACM number for this case as 40605.

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



OLGA STANFORD Capt, USAF
Commissioner

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (FIRST)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40605
PATRICK A. TYSON,)	
United States Air Force	)	3 July 24
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(1) and (2) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for his first enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 60 days, which will end on **14 September 2024**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 47 days have elapsed. On the date requested, 120 days will have elapsed.

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

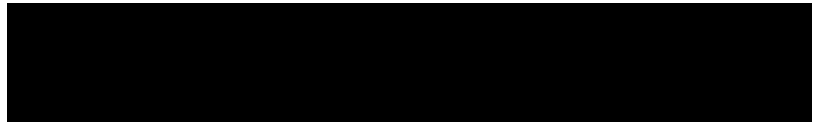
Respectfully submitted,

TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Appellate Government Division on 3 July 2024.

Respectfully submitted,

A large black rectangular redaction box covering the signature area.

TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

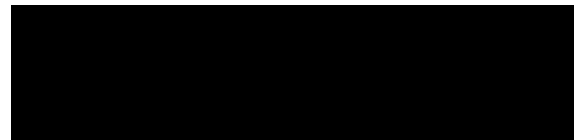
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, 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.

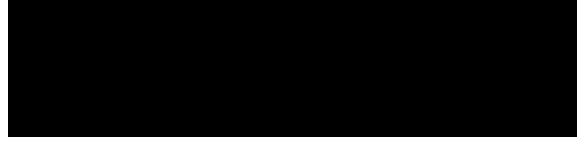
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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 8 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

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (SECOND)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	4 September 2024
<i>Appellant</i>)	

**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 his second enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **14 October 2024**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 110 days have elapsed. On the date requested, 150 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14

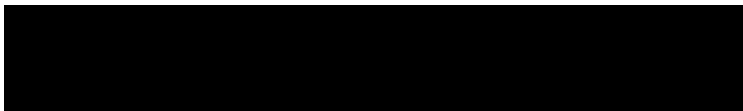
February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant's dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant's case. An enlargement of time is necessary to allow counsel time to fully review Appellant's case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for enlargement of time. Appellant has provided limited consent to disclose a confidential communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

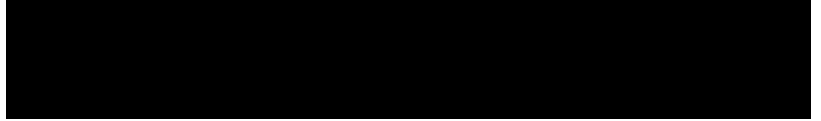


TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
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(240) 612-2807

CERTIFICATE OF FILING AND SERVICE

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Respectfully submitted,

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TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
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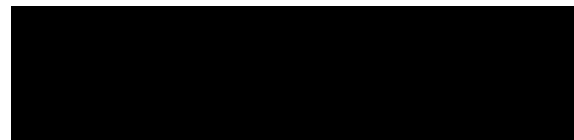
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, 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.

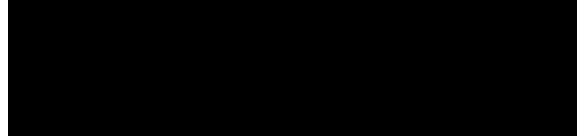
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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 5 September 2024.



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

UNITED STATES)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (THIRD)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	4 October 2024
<i>Appellant</i>)	

**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 his third enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **13 November 2024**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 140 days have elapsed. On the date requested, 180 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14

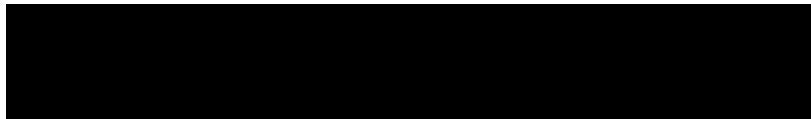
February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant's dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant's case. An enlargement of time is necessary to allow counsel time to fully review Appellant's case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for enlargement of time. Appellant has provided limited consent to disclose a confidential communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

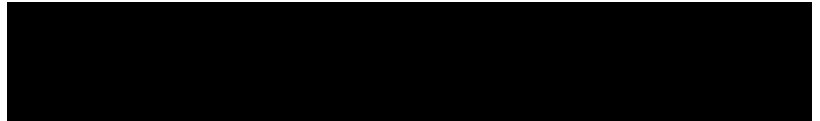


TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Appellate Government Division on 4 October 2024.

Respectfully submitted,



TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

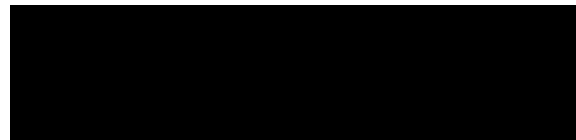
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, 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.

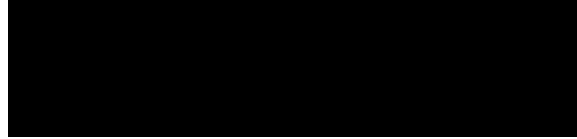
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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 8 October 2024.



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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (FOURTH)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	4 November 2024
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for his fourth enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **13 December 2024**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 171 days have elapsed. On the date requested, 210 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14

February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant's dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Undersigned counsel is assigned 26 cases, 17 of which are pending initial AOE's before this Court. Two cases before the Court of Appeals for the Armed Forces (CAAF) take priority over this case: (1) *United States v. Valentin-Andino*; and (2) *United States v. Pulley*. An initial brief on behalf of appellant was filed in *Valentin-Andino* last week, with the Government's Answer due 2 December 2024; any reply will be due no later than 9 December 2024. For *Pulley*, an initial petition and supplement to the petition is due no later than 23 December 2024. Undersigned counsel has begun research in preparation for filing that supplement. In addition, the following cases before this Court take priority over the instant case:

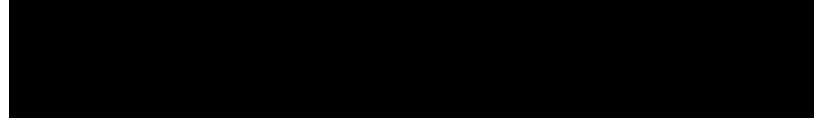
- 1) *United States v. Moreno*, ACM 40511 – The record of trial is six volumes, consisting of 59 appellate exhibits, 12 prosecution exhibits, and seven defense exhibits; the transcript is 531 pages. Civilian co-counsel has begun reviewing the record. Undersigned counsel has completed a review of the record and has identified several assignments of error. However, civilian co-counsel has a medical condition precluding him from completing a review of the record and assisting in drafting assignments of error.
- 2) *United States v. Gibbs*, ACM 40523 – The record of trial is seven volumes, consisting of 40 appellate exhibits, 26 prosecution exhibits, 11 defense exhibits, and one court exhibit; the transcript is 1,084 pages. Undersigned counsel has begun reviewing the exhibits in this case, and identified at least one issue.

- 3) *United States v. Evangelista*, ACM 40531 – The record of trial is 10 volumes, consisting of 56 appellate exhibits, 18 prosecution exhibits, 12 defense exhibits, and one court exhibit; the transcript is 1,439 pages.
- 4) *United States v. Barlow*, ACM 40552 – The record of trial is four volumes, consisting of six prosecution exhibits, nine defense exhibits, 16 appellate exhibits, and two court exhibits; the transcript is 338 pages.
- 5) *United States v. Beyer*, ACM 40566 – The record of trial is seven volumes, consisting of four prosecution exhibits, four defense exhibits, 66 appellate exhibits, and one court exhibit; the transcript is 939 pages. An initial AOE brief was filed with this Court on 30 September 2024. Last week, the Government sought an extension to file an answer to that AOE for an indefinite period of time.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant's case. An enlargement of time is necessary to allow counsel time to fully review Appellant's case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for enlargement of time. Appellant has provided limited consent to disclose a confidential communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

A large black rectangular redaction box covering the signature area.

TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

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 4 November 2024.

Respectfully submitted,

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Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
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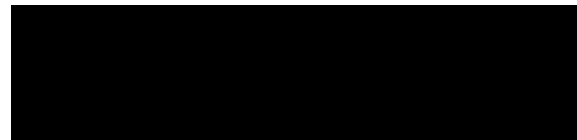
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, 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.

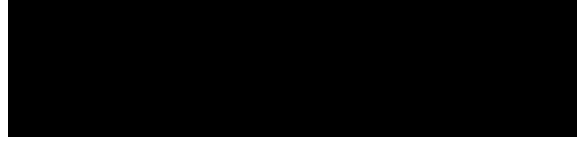
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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

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Appellate Defense Division on 4 November 2024.



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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (FIFTH)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	3 December 2024
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for his fifth enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **12 January 2025**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 200 days have elapsed. On the date requested, 240 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14

February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant's dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Undersigned counsel is assigned 24 cases, 18 of which are pending initial AOE's before this Court. Four cases before the Court of Appeals for the Armed Forces (CAAF) take priority over this case: (1) *United States v. Valentin-Andino*; (2) *United States v. Pulley*; (3) *United States v. Washington*; and (4) *United States v. Kelnhofer*. For *Valentin-Andino*, the Government's Answer is due on 5 December 2024. The appellant's reply is due on 12 December 2024. Oral argument is scheduled for 14 January 2025. For *United States v. Pulley*, the petition and corresponding supplement is due on 18 December 2024. Undersigned counsel has begun research in preparation of drafting the supplement. For *United States v. Washington*, the petition and corresponding supplement is due on 17 December 2024. Undersigned counsel has reviewed the entire record and all corresponding decisions. For *United States v. Kelnhofer*, the petition and corresponding supplement is due on 9 January 2025. Undersigned counsel has not begun research or drafting.

In addition, the following cases before this Court take priority over the instant case:

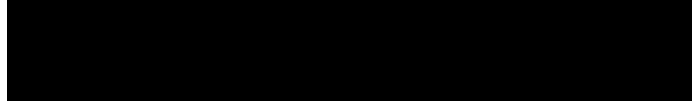
- 1) *United States v. Gibbs*, ACM 40523 – The record of trial is seven volumes, consisting of 40 appellate exhibits, 26 prosecution exhibits, 11 defense exhibits, and one court exhibit; the transcript is 1,084 pages. Undersigned counsel has completed a review of the record and has begun drafting three of six identified assignments of error. Due to this Court's denial of an enlargement of time, this brief will be filed no later than 9 December 2024.

- 2) *United States v. Evangelista*, ACM 40531 – The record of trial is 10 volumes, consisting of 56 appellate exhibits, 18 prosecution exhibits, 12 defense exhibits, and one court exhibit; the transcript is 1,439 pages.
- 3) *United States v. Barlow*, ACM 40552 – The record of trial is four volumes, consisting of six prosecution exhibits, nine defense exhibits, 16 appellate exhibits, and two court exhibits; the transcript is 338 pages.
- 4) *United States v. Beyer*, ACM 40566 – The record of trial is seven volumes, consisting of four prosecution exhibits, four defense exhibits, 66 appellate exhibits, and one court exhibit; the transcript is 939 pages. An initial AOE brief was filed with this Court on 30 September 2024. After seeking an enlargement of time, the Government’s Answer is due on 12 December 2024, with any reply being due on 19 December 2024.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant’s case. An enlargement of time is necessary to allow counsel time to fully review Appellant’s case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for enlargement of time. Appellant has provided limited consent to disclose a confidential communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

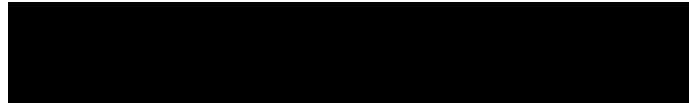
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TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

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 3 December 2024.

Respectfully submitted,

A solid black rectangular box used to redact the signature of Trevor N. Ward.

TREVOR N. WARD, Capt, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

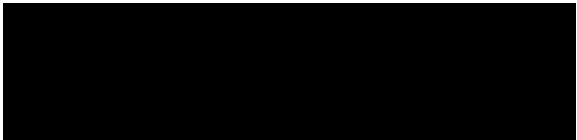
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, 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.

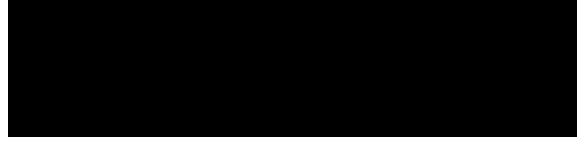
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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 5 December 2024.



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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (SIXTH)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	3 January 2025
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for his sixth enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **11 February 2025**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 231 days have elapsed. On the date requested, 270 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14

February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant's dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Undersigned counsel is assigned 26 cases, 19 of which are pending initial AOE's before this Court. Three cases before the Court of Appeals for the Armed Forces (CAAF) take priority over this case: (1) *United States v. Valentin-Andino*; (2) *United States v. Pulley*; and (3) *United States v. Kelnhofer*. For *Valentin-Andino*, filing is complete. Oral argument is scheduled for 14 January 2025. Undersigned counsel is presently preparing for oral argument. For *United States v. Pulley*, corresponding supplement is due on 15 January 2025. Undersigned counsel has begun research and drafting, and anticipates completing the brief prior to oral argument on 14 January 2025. For *United States v. Kelnhofer*, the petition and corresponding supplement is due on 9 January 2025. Undersigned counsel has not begun research or drafting.

In addition, the following cases before this Court take priority over the instant case:

- 1) *United States v. Gibbs*, ACM 40523 – The record of trial is seven volumes, consisting of 40 appellate exhibits, 26 prosecution exhibits, 11 defense exhibits, and one court exhibit; the transcript is 1,084 pages. Undersigned counsel filed the initial assignment of error brief on 9 December 2024, with the Government's Answer due on 8 January 2025. Due to oral argument in *Valentin-Andino*, undersigned counsel will likely seek an enlargement of time for his reply, which would otherwise be due on 15 January 2025.
- 2) *United States v. Evangelista*, ACM 40531 – The record of trial is 10 volumes, consisting of 56 appellate exhibits, 18 prosecution exhibits, 12 defense exhibits, and one court exhibit;

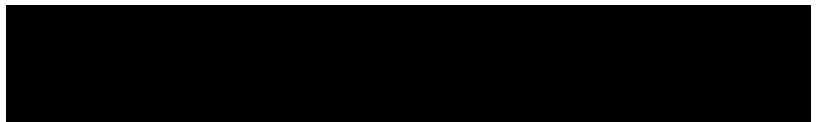
the transcript is 1,439 pages. Undersigned counsel has begun a review of the record (to include 153 transcript pages).

- 3) *United States v. Barlow*, ACM 40552 – The record of trial is four volumes, consisting of six prosecution exhibits, nine defense exhibits, 16 appellate exhibits, and two court exhibits; the transcript is 338 pages.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant's case. An enlargement of time is necessary to allow counsel time to fully review Appellant's case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for enlargement of time. Appellant has provided limited consent to disclose a confidential communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

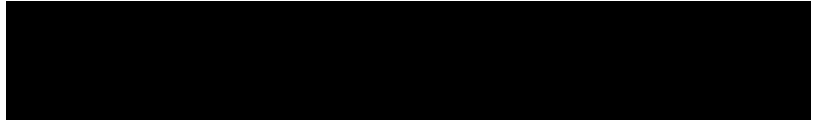
A solid black rectangular box used to redact the signature of Trevor N. Ward.

TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

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 3 January 2025.

Respectfully submitted,

A large black rectangular redaction box covering the signature area.

TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

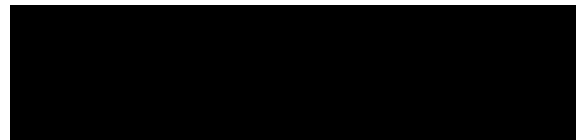
IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES' GENERAL
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, 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.

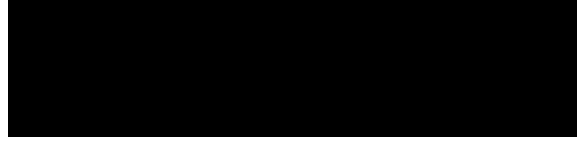
WHEREFORE, the United States respectfully requests that this Court deny Appellant's enlargement motion.



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 7 January 2025.



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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME(SEVENTH)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	31 January 2025
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for his seventh enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **13 March 2025**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 259 days have elapsed. On the date requested, 300 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14 February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant’s dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Undersigned counsel is assigned 26 cases, 18 of which are pending initial AOE's before this Court. One case before the United States Supreme Court takes priority over this case: *United States v. Nestor*. The petition for writ of certiorari must be sent to the printers no later than 7 February 2025. Undersigned counsel is presently conducting research and drafting the writ petition.

In addition, the following cases before this Court take priority over the instant case:

- 1) *United States v. Evangelista*, ACM 40531 – The record of trial is 10 volumes, consisting of 56 appellate exhibits, 18 prosecution exhibits, 12 defense exhibits, and one court exhibit; the transcript is 1,439 pages. Undersigned counsel has begun a review of the record (to include over unsealed transcript pages). However, this week, this appellant informed undersigned counsel of his intent to hire civilian counsel. To maximize his efforts to clear his docket, undersigned counsel submitted an additional EOT for this case and began working on the writ petition and *United States v. Barlow*.
- 2) *United States v. Barlow*, ACM 40552 – The record of trial is four volumes, consisting of six prosecution exhibits, nine defense exhibits, 16 appellate exhibits, and two court exhibits; the unsealed transcript is 338 pages. Undersigned counsel has begun a review of the unsealed transcript and exhibits.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant's case. An enlargement of time is necessary to allow counsel time to fully review Appellant's case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for

enlargement of time. Appellant has provided limited consent to disclose a confidential communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

A large black rectangular redaction box covering the signature area.

TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

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 31 January 2025.

Respectfully submitted,



TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES'
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
v.	)	OF TIME
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, 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 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.

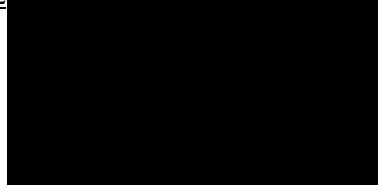


JOCELYN Q. WRIGHT, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force

Appellate Defense Division on 4 February 2



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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (EIGHTH)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	3 March 2025
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(3) and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for his eighth enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **12 April 2025**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 290 days have elapsed. On the date requested, 330 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14 February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant’s dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Undersigned counsel is assigned 30 cases, 19 of which are pending initial AOE's before this Court. The following cases before this Court take priority over the instant case:

- 1) *United States v. Barlow*, ACM 40552 – The record of trial is four volumes, consisting of six prosecution exhibits, nine defense exhibits, 16 appellate exhibits, and two court exhibits; the unsealed transcript is 338 pages. Undersigned counsel has completed a review of this case and has begun research on potential errors.
- 2) *United States v. Evangelista*, ACM 40531 – The record of trial is 10 volumes, consisting of 56 appellate exhibits, 18 prosecution exhibits, 12 defense exhibits, and one court exhibit; the transcript is 1,439 pages. Undersigned counsel has completed a review of the record and has begun research on several potential errors. Civilian co-counsel has not yet completed a review of the record.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant's case. An enlargement of time is necessary to allow counsel time to fully review Appellant's case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for enlargement of time. Appellant has provided limited consent to disclose a confidential communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

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

TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

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 3 March 2025.

Respectfully submitted,

A solid black rectangular box used to redact the signature of Trevor N. Ward.

TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,	)	UNITED STATES'
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT'S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.)	
	)	Before Panel No. 2
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON, USAF,)	
<i>Appellant.</i>	)	5 March 2025

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

Pursuant to Rule 23.2 of this Court's Rules of Practice and Procedure, the United States hereby enters its 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.

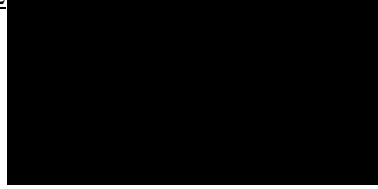


JOCELYN Q. WRIGHT, Maj, USAF
Appellate Government Counsel
Government Trial and Appellate Operations Division
Military Justice and Discipline Directorate
United States Air Force
(240) 612-4800

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force

Appellate Defense Division on 5 March 202



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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES)	APPELLANT’S MOTION FOR
<i>Appellee</i>	)	ENLARGEMENT OF TIME (NINTH)
)	
v.	)	Before Panel 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force	)	3 April 2025
<i>Appellant</i>)	

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

Pursuant to Rule 23.3(m)(4) and (6) of this Honorable Court’s Rules of Practice and Procedure, Appellant hereby moves for his ninth enlargement of time to file an Assignment of Error (AOE). Appellant requests an enlargement for a period of 30 days, which will end on **12 May 2025**. This case was docketed with this Court on 17 May 2024. From the date of docketing to the present date, 321 days have elapsed. On the date requested, 360 days will have elapsed.

On 31 January 2024, Appellant was tried by a military judge alone sitting as a general court-martial. R. at 1, 13. Consistent with his pleas, R. at 16, Appellant was convicted of one charge and two specifications in violation of Article 134, Uniform Code of Military Justice (UCMJ), for unlawfully possessing and viewing child pornography. R. at 58. The military judge sentenced Appellant to be reprimanded, reduced to the grade of E-1, confined for 29 months, and dishonorably discharged. R. at 92. The convening authority took no action on the findings or sentence. Convening Authority Decision on Action, 27 February 2024. However, the convening authority did: (1) defer the reduction in grade from 31 January 2024 until the military judge signed the entry of judgement (EOJ); (2) defer automatic forfeitures from 31 January 2024 until 14 February 2024; and (3) waive automatic forfeitures from 14 February 2024 for a period of six months for the benefit of Appellant’s dependents. *Id.* Appellant is confined.

The record of trial (ROT) is electronic consisting of 924 pages; there are four prosecution exhibits, four defense exhibits, and 11 appellate exhibits. The transcript is 92 pages.

Undersigned counsel is assigned 29 cases, 17 of which are pending initial AOE's before this Court. Three cases before the Court of Appeals for the Armed Forces take priority over the instant case: *United States v. Couty*, *United States v. Beyer*, and *United States v. Covitz*. Undersigned counsel has completed research and has begun drafting for the supplement and petition in *Couty*. Undersigned counsel has begun, but not completed, research in *Beyer*. Undersigned counsel has not yet begun work on *Covitz*. The following cases before this Court take priority over the instant case:

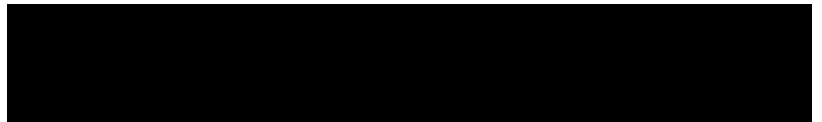
- 1) *United States v. Barlow*, ACM 40552 – The record of trial is four volumes, consisting of six prosecution exhibits, nine defense exhibits, 16 appellate exhibits, and two court exhibits; the unsealed transcript is 338 pages. The Government's Answer is due on 15 May 2025, with any reply due on 22 May 2025.
- 2) *United States v. Evangelista*, ACM 40531 – The record of trial is 10 volumes, consisting of 56 appellate exhibits, 18 prosecution exhibits, 12 defense exhibits, and one court exhibit; the transcript is 1,439 pages. Undersigned counsel has completed a review of the record and has begun research on several potential errors. Civilian co-counsel has not yet completed a review of the record.

Through no fault of Appellant, undersigned counsel has been unable to complete a review and prepare a brief in Appellant's case. An enlargement of time is necessary to allow counsel time to fully review Appellant's case and advise Appellant regarding potential errors. Appellant has been advised of his right to a timely appeal. Appellant has been advised of this request for enlargement of time. Appellant has provided limited consent to disclose a confidential

communication wherein Appellant consented to the request for this enlargement. Appellant has also provided limited consent to disclose a confidential communication where undersigned counsel provided Appellant an update on the status of progress on this case.

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

Respectfully submitted,

A large black rectangular redaction box covering the signature area.

TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

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 3 April 2025.

Respectfully submitted,



TREVOR N. WARD, Maj, USAF
Appellate Defense Counsel
Air Force Appellate Defense Division
United States Air Force
(240) 612-2807

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES,)	UNITED STATES’
<i>Appellee,</i>	)	OPPOSITION TO APPELLANT’S
	)	MOTION FOR ENLARGEMENT
	)	OF TIME
v.)	
	)	Before Panel No. 2
)	
Staff Sergeant (E-5)	)	ACM 40612
PATRICK A. TYSON , USAF,)	
<i>Appellant.</i>	)	3 April 2025

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

Pursuant to Rule 23.2 of this Court’s Rules of Practice and Procedure, the United States hereby enters its 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 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 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.



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

CERTIFICATE OF FILING AND SERVICE

I certify that a copy of the foregoing was delivered to the Court and to the Air Force

Appellate Defense Division on 3 April 2025



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

IN THE UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES	)	MOTION TO WITHDRAW FROM
<i>Appellee,</i>	)	APPELLATE REVIEW AND
	)	MOTION TO ATTACH
)	
v.	)	Before Panel No. 2
)	
Staff Sergeant (E-5)	)	No. ACM 40612
PATRICK A. TYSON,)	
United States Air Force,	)	6 May 2025
<i>Appellant.</i>)	

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

Pursuant to Rule 16 of this Honorable Court's Rules of Practice and Procedure, and Rule for Courts-Martial (R.C.M.) 1115, Appellant hereby moves to withdraw his case from appellate review. Appellant has fully consulted with Maj Trevor N. Ward, his appellate defense counsel, regarding this motion to withdraw. No person has compelled, coerced, or induced Appellant by force, promises of clemency, or otherwise to withdraw his case from appellate review.

Further, pursuant to Rules 23(b) and 23.3(b) of this Honorable Court's Rules of Practice and Procedure, undersigned counsel asks this Court to attach the two-page document appended to this pleading to Appellant's Record of Trial. The appended document is a Department of Defense Form 2330, signed by Appellant and undersigned counsel. The appended document is necessary to comply with R.C.M. 1115(d) and Rule 16.1 of this Honorable Court's Rules of Practice and Procedure.

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

Respectfully submitted,

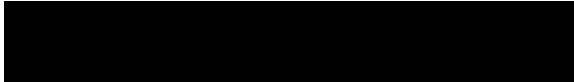
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CERTIFICATE OF FILING AND SERVICE

I certify that the original and copies of the foregoing were sent via email to the Court and served on the Government Trial and Appellate Operations Division on 6 May 2025.

Respectfully submitted,

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