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IN THE
Supreme Court of the United States

LIAM C. LATTIN,
FIRST LIEUTENANT,
UNITED STATES AIR FORCE,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

Application for Extension of Time to File a Petition for a Writ of
Certiorari to the United States Court of Appeals for the Armed Forces

BRENNER M. FISSELL
Counsel of Record
408 Saint David's Ave.
Wayne, PA 19087
(518) 231-8532
brennerfissell@court-martial.com
Attorney for Petitioner

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To the Honorable John G. Roberts, Chief Justice of the United States:

Pursuant to Supreme Court Rules 13.5, 22, and 30.2, the Petitioner, Liam C. Lattin, respectfully requests a 60-day extension of time, to and including August 28, 2023, to file a Petition for a Writ of Certiorari. In support of this application, Petitioner states the following:

1. A panel of officer members sitting as a general court-martial tried First Lieutenant (1st Lt) Lattin on December 3-12, 2019. Contrary to his pleas, he was found guilty of one specification of sexual assault in violation of Article 120, Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 920 (2016) and one

specification of sexual assault and one specification of abusive sexual contact in violation of Article 120, UCMJ, 10 U.S.C. § 920 (2019). 1st Lt Lattin was sentenced to confinement for 10 years, total forfeitures, and a dismissal from the United States Air Force. The Convening Authority took no action on the findings or sentence.

2. 1st Lt Lattin appealed his conviction to the Air Force Court of Criminal Appeals (AFCCA) under Article 66, UCMJ, 10 U.S.C. § 866 (2019). On April 20, 2022, AFCCA affirmed the findings and sentence. *United States v. Lattin*, No. ACM 39859, 2022 CCA LEXIS 226, 2022 WL 1186023 (A.F. Ct. Crim. App. Apr. 20, 2022) (unpub. op.).

3. On March 31, 2023, the United States Court of Appeals for the Armed Forces (CAAF) upheld the lower court's decision in a published opinion. *United States v. Lattin*, No. 22-0211/AF, 2023 CAAF LEXIS 184, 2023 WL 2778035, 83 M.J. ___ (C.A.A.F. Mar. 31, 2023). The time for petitioning this Court for a writ of certiorari expires on June 29, 2023. This application is being filed more than 10 days before that date.

4. Attached to this application are copies of the AFCCA and CAAF opinions (Attachments A and B, respectively).

5. This Honorable Court has jurisdiction under 28 U.S.C. § 1259(3).

6. This case presents an opportunity for this Court to elucidate the scope of the exclusionary rule not only in the military, but also across the nation.

7. Petitioner requests an extension of time out of an abundance of caution. The Petition for Writ of Certiorari is completed; however, the printing process is not. The printing is being processed through a federal government agency (the Air Force)

which has payment and processing requirements that a private firm does not. While Petitioner intends to file on or before the original deadline, the procurement process for a printing job cannot be forecasted with certainty. As such, Petitioner is requesting an Extension of Time to ensure timely filing in case the printing process is delayed.

8. For the foregoing reasons, Petitioner respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari up to, and including, August 28, 2023.

Respectfully submitted,



Brenner M. Fissell
Counsel of Record
408 Saint David's Ave.
Wayne, PA 19087
(518) 231-8532
Attorney for Petitioner

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