

No. \_\_\_\_\_

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IN THE  
**Supreme Court of the United States**

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COLIN R. COVITZ,  
*Applicant,*

v.

UNITED STATES OF AMERICA,  
*Respondent.*

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**Application to the Hon. John G. Roberts, Jr.  
for Extension of Time to File a  
Petition for a Writ of Certiorari to the  
United States Court of Appeals for the Armed Forces**

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Pursuant to Supreme Court Rules 13(5), 22, and 30, the Applicant, Colin R. Covitz, requests a 60-day extension of time, to and including December 5, 2025, to file a Petition for a Writ of Certiorari. Unless an extension is granted, the deadline for filing the petition for certiorari will be October 6, 2025. This Application is being filed more than 10 days before that date.

In support of this application, Applicant states the following:

1. The Court of Appeals for the Armed Forces (CAAF) rendered its decision on July 8, 2025. This Court has jurisdiction under 28 U.S.C. § 1259(3). A copy of the

CAAF's order denying review, of which Applicant seeks review, is attached to this application.

2. Applicant, a member of the United States Air Force, was originally tried by general court-martial consisting of officer members. Applicant was convicted, but that conviction was later set aside by the Air Force Court of Criminal Appeals (Air Force Court) for voir dire issues. *United States v. Covitz*, No. ACM 40193, 2022 CCA LEXIS 563, at \*2 (A.F. Ct. Crim. App. Sep. 30, 2022). The Government retried Applicant. A military judge sitting as a general court-martial convicted him, contrary to his pleas, of two specifications of domestic violence, in violation of 10 U.S.C. § 928b. Applicant was sentenced to five months of confinement, forfeiture of \$6,127.00 of pay per month for five months, and a reprimand. The convening authority reduced the forfeitures to \$925.00 per month for five months.

3. Following his conviction, Applicant appealed to the Air Force Court again. Applicant raised, among other legal errors, that the post-trial delay in his case required sentencing relief under 10 U.S.C. § 866(d)(2). *United States v. Covitz*, No. ACM 40193 (reh), 2025 CCA LEXIS 105, at \*3 (A.F. Ct. Crim. App. Mar. 19, 2025). The Air Force Court declined to provide any relief for the post-trial delay.

4. Applicant petitioned the CAAF to review the Air Force Court's decision. On July 8, 2025, the CAAF denied that petition for grant of review.

5. Applicant's latest Air Force Appellate Defense Counsel, Major Trevor Ward, is Applicant's counsel for the purposes of his Petition for a Writ of Certiorari, but he

is also detailed to 27 other cases, including two cases that will also be filing a petition for a writ of certiorari before this Court. Since the CAAF's decision declining to grant review, counsel's statutory obligations in representing other clients required him to complete briefing in a variety of other cases before the Air Force Court and the CAAF. Additionally, counsel uncovered new evidence in a case pending the CAAF requiring substantial post-trial discovery and the preparation of a petition for a new trial.

6. Additionally, the Air Force Appellate Defense Division currently does not have paralegal support to assist with formatting petitions for this Court or filings before any other court. Applicant's appellate defense counsel will be responsible for formatting the two lower court decisions for this petition and the other petitions to be filed before this Court. The reduction of paralegal support has severely hampered the Division's ability to prepare petitions before this Court.

7. Further, the printing process required for Applicant's petition must be processed through a federal government agency (the Air Force), which has payment and processing requirements a private firm does not. The procurement process for a printing job cannot be forecasted with certainty, often has delays, and cuts approximately two weeks out of undersigned counsel's time to finalize the petition for a writ of certiorari. The close of the fiscal year and federal agency budgetary limitations are also adding to the normal delays and constraints associated with processing printing through the Air Force.

8. Applicant thus requests a 60-day extension for counsel to prepare a petition that fully addresses the issues raised by the decision below and frames those issues in a manner that will be most helpful to the Court.

For the foregoing reasons, Applicant respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari up to, and including, December 5, 2025.

Respectfully submitted,



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September 17, 2025

**United States Court of Appeals  
for the Armed Forces  
Washington, D.C.**

United States,

Appellee

USCA Dkt. No. 25-0169/AF

Crim.App. No. 40193

v.

**ORDER DENYING PETITION**

Colin R.

Covitz,

Appellant

On consideration of the petition for grant of review of the decision of the  
United States Air Force Court of Criminal Appeals, it is by the Court, this 8th day  
of July, 2025,

ORDERED:

That the petition is hereby denied.

For the Court,

/s/ Malcolm H. Squires, Jr.  
Clerk of the Court

cc: The Judge Advocate General of the Air Force  
Appellate Defense Counsel (Ward)  
Appellate Government Counsel (Payne)