

No. _____

IN THE
Supreme Court of the United States

MARK A. PULLEY,
Applicant,

v.

UNITED STATES OF AMERICA,
Respondent.

**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**

TREVOR N. WARD
Counsel of Record
Appellate Defense Counsel
Appellate Defense Division
United States Air Force
1500 West Perimeter Road
Suite 1100
Joint Base Andrews, MD 20762
(240) 612-4770
trevor.ward.1@us.af.mil

Counsel for Applicant

No. _____

IN THE
Supreme Court of the United States

MARK A. PULLEY,
Applicant,

v.

UNITED STATES OF AMERICA,
Respondent.

**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**

Pursuant to Supreme Court Rules 13(5), 22, and 30, the Applicant, Mark A. Pulley, requests a sixty-day extension of time, to and including December 19, 2025, to file a Petition for a Writ of Certiorari. Unless an extension is granted, the deadline for filing the petition for a writ of certiorari will be October 20, 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 22, 2025. This Court has jurisdiction under 28 U.S.C. § 1259(3). A copy of the CAAF's disposition order is attached.

2. Applicant, a member of the United States Air Force, was tried by a military judge alone sitting as a general court-martial. *United States v. Pulley*, No. ACM 40438 (f rev), 2024 CCA LEXIS 442, at *1-2 (A.F. Ct. Crim. App. Oct. 24, 2024). Relevant to this appeal, Applicant was convicted of one charge and specification of indecent conduct, in violation of 10 U.S.C. § 934. *Id.* at *2. Applicant was sentenced to a dishonorable discharge, confinement for thirty-six months, forfeiture of all pay, and reduction to the grade of E-1. *Id.*

3. Following his conviction, Applicant appealed to the Air Force Court of Criminal Appeals (Air Force Court). Applicant raised, among other legal errors, that his conviction for indecent conduct violated his free speech rights under the First Amendment. *Id.* The Air Force Court held there was no violation of the First Amendment.

4. Applicant petitioned the CAAF to review the Air Force Court's decision. On February 20, 2025, the CAAF granted the petition with regard to a Second Amendment issue but declined review of the free speech issue. Then, on July 22, 2025, the CAAF issued its order affirming the Air Force Court on the Second Amendment issue.

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 in this case,

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. This is further complicated with the current Government shutdown, 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 19, 2025.

Respectfully submitted,



Trevor N. Ward, Maj, U.S. Air Force
Counsel of Record
Air Force Appellate Defense Division
1500 Perimeter Road, Suite 1100
Joint Base Andrews NAF, MD 20762
trevor.ward.1@us.af.mil
(240) 612-2807

October 9, 2025