

No. _____

IN THE
Supreme Court of the United States

ZACHARY R. BRAUM,
Applicant,

v.

UNITED STATES,
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**

JOSHUA L. LOPES
Counsel of Record
Appellate Defense Counsel
Air Force Appellate Defense Division
1500 West Perimeter Rd., Ste. 1100
Joint Base Andrews, MD 20762
(240) 612-4770
joshua.lopes@us.af.mil
Counsel for Applicant

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Pursuant to 28 U.S.C. § 2101(c) and Supreme Court Rules 13.5, 22, and 30.3, the Applicant, Zachary R. Braum, requests an extension of time, to and including October 31, 2026, to file a petition for a writ of certiorari. Unless an extension is granted, the deadline for filing the petition for certiorari will be September 1, 2026.

In support of this application, Applicant states the following:

1. The CAAF delivered its opinion on April 8, 2026. The CAAF denied Applicant's petition for reconsideration on June 3, 2026. This Court has jurisdiction under 28 U.S.C. § 1259(3). Copies of the CAAF's petition for reconsideration denial, decision, as well as the Air Force Court of Criminal Appeals' (Air Force Court's) decision, of which Applicant seeks review, are attached to this application. Enclosures A-C.

2. Applicant, a member of the United States Air Force, was tried at a general court-martial. He was convicted, contrary to his pleas, of three specifications of rape, three specifications of sexual assault, one specification of abusive sexual contact, three specifications of domestic violence, and one specification of reckless operation of an aircraft in violation of 10 U.S.C. §§ 913, 920, 928b. Applicant was sentenced to confinement for nine years, forfeiture of all pay and allowances, a reprimand, and a dismissal.

3. Following his conviction, Applicant appealed to the Air Force Court. Applicant raised eight issues on appeal, including whether the Government can properly refuse to disclose relevant, non-privileged data in its possession, custody, or control. The Air Force Court determined the nondisclosure was harmless beyond a reasonable doubt. Encl. C at *9.

4. Applicant petitioned the CAAF to review the Air Force Court's decision. The CAAF granted review of the discovery violation and held that any error was harmless beyond a reasonable doubt. Encl. B. Applicant petitioned the CAAF to reconsider its decision. On June 3, 2026, the CAAF denied Applicant's petition for reconsideration. Encl. A.

5. After the CAAF denied Applicant's petition for reconsideration, Applicant's Air Force Appellate Defense Counsel received Permanent Change of Station orders and departed the Air Force Appellate Defense Division on July 24, 2026. Applicant's new Air Force Appellate Defense Counsel, Captain Joshua Lopes, was detailed as replacement appellate defense counsel.

6. While counsel has been working diligently in preparing this petition, including reviewing Applicant's record of trial, the Air Force Court's decision, and the CAAF's decision, counsel still has significant briefing obligations between now and the current due date of the petition. In addition to Applicant's case, Captain Lopes is also detailed to forty-four other cases, including three cases pending at the CAAF and four cases pending petitions for writs of certiorari to this Court.

7. Additionally, as part of the basis for requesting an extension of time, the printing required for Applicant's petition must be processed through a federal government agency (the Air Force), which has payment and handling 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.

8. The extension to prepare a petition will allow counsel to fully address the complex issues raised by the decisions below and frame 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 for a writ of certiorari up to, and including, October 31, 2026.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'J. Lopes', is positioned above the typed name.

JOSHUA L. LOPES

Counsel of Record

Appellate Defense Counsel

Air Force Appellate Defense Division

1500 West Perimeter Road

Suite 1100

Joint Base Andrews, MD 20762

(240) 612-4770

joshua.lopes@us.af.mil

Counsel for Applicant

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