

No. 26A340

IN THE
Supreme Court of the United States

KYSHOWN D. CAMPBELL,
APPLICANT,

V.

UNITED STATES OF AMERICA,
RESPONDENT

**Response of Victim Intervenor
R.C. to an Application for Extension of Time
to File a Petition for a Writ of Certiorari to the
United States Court of Criminal Appeals**

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R.C. is an active-duty Airman and the victim of the Applicant's crime. Pursuant to 10 U.S.C. § 806b(a)(7) R.C. has a right to proceedings free from unreasonable delay and under 10 U.S.C. § 806b(a)(9) a right to be treated with fairness. R.C. prays you recognize her rights and deny the Applicant's request.

In support of this objection victim R.C. states the following:

1. On January 16, 2024 Military Judge Lance R. Smith entered judgment finding Applicant Kyshown Campbell on June 30, 2021 struck R.C. in violation of 10 U.S.C. § 928b.

2. 10 U.S.C. § 806b provides statutory rights to victims of offenses committed in violation of the Uniform Code of Military Justice; accordingly, R.C. is a victim and has “[t]he right to proceedings free from unreasonable delay” and “. . . to be treated with fairness”.

3. Granting the Applicant further time to petition for certiorari is unreasonable and unfair. “Only with real finality can the victims of crime move forward knowing the moral judgment will be carried out.” *Calderon v. Thompson*, 523 U.S. 538, 556 (1998). The Applicant abused R.C. over five years ago, and she is still awaiting finality of judgment as no mandate has been issued in the Applicant’s court-martial.

4. R.C. is seeking a permanent order of protection in the Circuit Court of the First Judicial Circuit in and for Okaloosa County, Florida where Applicant’s Air-Force-provided counsel filed affidavits seeking a delay in issuance of the permanent order of protection to allow Applicant to appeal his court-martial. The First Judicial Circuit Florida judge has refused to issue an order of protection for R.C. against Applicant until there is finality in the court-martial. Granting an extension of time for the Applicant to petition for certiorari further delays judgment as to an order of protection for R.C. against the Applicant.

5. Applicant’s petition to this Court for certiorari is seeking a grant of discretionary review according to 28 U.S.C. § 1259. However, recognizing and affirming R.C.’s rights pursuant to 10 U.S.C. § 806b(a) is not discretionary.

For the foregoing reasons victim R.C. asks you deny Applicant's request for an extension of time to seek discretionary review of his case.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Devon Wells", is positioned above the typed name and contact information.

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