

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

---

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

\_\_\_\_\_  
ALEXANDER L. DRISKILL,  
*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**

\_\_\_\_\_  
FREDERICK J. JOHNSON  
*Counsel of Record*  
United States Air Force  
Appellate Defense Division  
1500 West Perimeter Road  
Suite 1100  
Joint Base Andrews, MD 20762  
(240) 612-4770  
frederick.johnson.11@us.af.mil

*Counsel for Applicant*

---

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

---

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

\_\_\_\_\_  
ALEXANDER L. DRISKILL,  
*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**

Pursuant to Supreme Court Rules 13(5), 22, and 30, the Applicant, Alexander L. Driskill, requests a sixty-day extension of time, to and including September 13, 2026, 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 July 15, 2026. This Application is being filed more than ten days before that date.

In support of this application, Applicant states the following:

1. The Court of Appeals for the Armed Forces (CAAF) denied a petition for review on April 16, 2026. This Court has jurisdiction under 28 U.S.C. § 1259(3). A copy of the CAAF's order denying the petition for review, of which Applicant seeks

review, is attached to this application.

2. Applicant, a member of the United States Air Force, was tried by a general court-martial and entered mixed pleas. *United States v. Driskill*, No. ACM 39889 (rem), 2025 CCA LEXIS 509, at \*1–2 (A.F. Ct. Crim. App. Nov. 14, 2025). Pursuant to his pleas, the military judge convicted Applicant of one specification of possession of obscene cartoons in violation of 10 U.S.C. § 934. *Id.* A panel of officer members then convicted Applicant, contrary to his pleas, of one specification of rape of a child and one specification of sexual abuse of a child in violation of 10 U.S.C. § 920b. *Id.* at \*2. Applicant was sentenced to a dishonorable discharge, confinement for forty years and nine months, forfeiture of all pay and allowances, 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 a total of twelve issues, including whether the conviction for wrongful possession of obscene cartoons violated the prohibitions against double jeopardy, whether the confinement portion of the sentence was inappropriately severe, and whether the military judge’s failure to instruct the panel that a guilty verdict must be unanimous was harmless. *United States v. Driskill*, No. ACM 39889 (f rev), 2022 CCA LEXIS 496, at \*3–4 (A.F. Ct. Crim. App. Aug. 23, 2022). The Air Force Court initially found that the convening authority failed to take required action on the sentence and remanded the record for correction. *United States v. Driskill*, No. ACM 39889, 2021 CCA LEXIS 672, at \*11–

12 (A.F. Ct. Crim. App. Dec. 14, 2021). After correction and redocketing, the Air Force Court affirmed the findings but reduced the confinement portion of the sentence to thirty years. *Driskill*, 2022 CCA LEXIS 496, at \*57–58.

4. Applicant petitioned the CAAF to review the Air Force Court’s decision. The CAAF granted that petition and held that applicant’s conviction for wrongful possession of obscene cartoons violated the prohibitions against double jeopardy. *United States v. Driskill*, 84 M.J. 248, 252, 256 (C.A.A.F. 2024). The CAAF dismissed that charge and specification and remanded the case to the Air Force Court for a new review, including consideration of how the possession of obscene cartoons evidence may have affected the other findings. *Id.* at 257.

5. On remand, the Air Force Court again affirmed the findings and reduced the confinement portion of the sentence to thirty years. *Driskill*, 2025 CCA LEXIS 509, at \*24–25. Applicant again petitioned the CAAF for a grant of review, and the CAAF denied that petition. *United States v. Driskill*, No. 26-0087/AF, \_\_ M.J. \_\_, 2026 CAAF LEXIS 364 (C.A.A.F. Apr. 16, 2026).

6. Applicant’s Air Force Appellate Defense Counsel, Major Frederick Johnson, is also detailed to twelve other cases. Since the CAAF’s denial of the petition for review 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 as well as two reply briefs in other cases before this Court.

7. Additionally, the printing required for Applicants' 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. Federal agency budgetary limitations can also add to the normal delays and constraints associated with processing printing through the Air Force.

8. Applicant thus requests an extension not exceeding sixty days for counsel to prepare a petition that fully addresses the issues raised by the decisions 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, September 13, 2026.

Respectfully submitted,



FREDERICK J. JOHNSON

*Counsel of Record*

United States Air Force  
Appellate Defense Division  
1500 West Perimeter Road  
Suite 1100  
Joint Base Andrews, MD 20762  
(240) 612-4770  
frederick.johnson.11@us.af.mil

June 26, 2026