

**IN THE UNITED STATES COURT OF APPEALS
FOR THE ARMED FORCES**

UNITED STATES

Appellee

v.

Keith A. COOPER

Airman First Class (E-3)

United States Air Force

Appellant

**SUPPLEMENT TO PETITION
FOR GRANT OF REVIEW**

Crim. App. Dkt. No. ACM 40791

USCA Dkt. No. 26-0258/AF

**TO THE JUDGES OF THE UNITED STATES COURT OF APPEALS FOR
THE ARMED FORCES:**

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ISSUE PRESENTED

Did Appellant’s court-martial lack jurisdiction due to the military judges’ lack of qualifications under Rule for Courts-Martial 502(c)(3) because they were not serving for a “term” of at least three years?

STATEMENT OF STATUTORY JURISDICTION

Airman First Class (A1C) Keith A. Cooper’s approved sentence includes a dishonorable discharge. Accordingly, the Air Force Court of Criminal Appeals (AFCCA) had jurisdiction pursuant to Article 66(b)(3), Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 866(b)(3). A1C Cooper, Appellant, now invokes this Court’s Article 67, UCMJ, 10 U.S.C. § 867, jurisdiction. Appellant, for the first time, challenges the trial court’s jurisdiction to adjudicate his case. Jurisdiction is nonwaivable and can be raised at any time, Rule for Courts-Martial (R.C.M.) 907(b)(1), *Manual for Courts-Martial, United States (MCM)* (2024 ed.), giving this Court the ability to address this issue now.

STATEMENT OF THE CASE

A panel of members with enlisted representation sitting as a general court-martial convicted Appellant, United States Air Force, contrary to his pleas, of one specification of attempted sexual assault of child, in violation of Article 80, UCMJ, 10 U.S.C § 880. Trial Tr. 1, 53, 55, 59, 510. The military judge sentenced him to be reprimanded, to be reduced to the grade of E-1, to be confined for one year, and to be discharged with a dishonorable discharge. Trial Tr. 512, 549. The convening

authority took no action on the findings or the sentence. Convening Authority Decision on Action (Oct. 28, 2024).

On June 16, 2026, the lower court affirmed the findings and sentence. No motion for reconsideration was filed. Appellant timely petitioned this Court for review on August 10, 2026, and moved to file the supplement to the petition subsequently. This Court granted the motion to file subsequently and set the filing deadline for this supplement as September 1, 2026.

STATEMENT OF FACTS

A. During Appellant’s court-martial, multiple judges were detailed to preside over the proceedings.

Five military judges were detailed to Appellant’s general court-martial. First, Judge Matthew P. Stoffel issued a Scheduling Order on May 18, 2023, App. Ex. I, and presided over Appellant’s first arraignment at Canon Air Force Base, New Mexico, on May 24, 2023. Trial Tr. 1, 2, 8.

Second, Judge Lance R. Smith was detailed in place of Judge Stoffel. Trial Tr. 16. Judge Smith never presided over any court-martial session. *Id.* In the time he presided over Appellant’s case, Judge Smith ordered “an inquiry into the mental capacity and mental responsibility of” Appellant, App. Ex. XIX, issued a protective order, App. Ex. XI, issued a revised scheduling order, App. Ex. XV, and made four motions rulings via email. App. Ex. VII; App. Ex. IX; App. Ex. XIV; App. Ex. XVII.

Third, Judge Lauren Torczynski, detailed in place of Judge Smith, arraigned Appellant again on June 20, 2024, and presided over the motions hearing. Trial Tr. 11, 16. Judge Torczynski ruled on three motions. App. Ex. XXV; App. Ex. XXVI; App. Ex. XXVII.

Fourth, Judge Brian Thompson was detailed to Appellant's court-martial in place of Judge Torczynski on September 24, 2024. App. Ex. XXVIII. Later that same day, a fifth military judge was detailed in place of Judge Thompson, Judge James P. Ferrell, App. Ex. XXIX. Judge Thompson remained involved as an observer. Trial Tr. 48. Judge Ferrell arraigned Appellant for a third time on September 30, 2024, and presided over the rest of the court-martial. Trial Tr. 59.

B. Assignment of Military Judges in the Department of the Air Force.

Since January 1, 2019, R.C.M. 502(c)(3) has provided that a "person assigned for duty as a military judge shall serve as a military judge for a term of not less than three years, subject to such provisions for reassignment as may be prescribed in regulations issued by the Secretary concerned." Nothing in the record of Appellant's trial indicates whether any of his five military judges were "serv[ing] as a military judge for a term of not less than three years." R.C.M. 502(c)(3); *see generally* App. Ex. I; App. Ex. XV; App. Ex. XXVIII; App. Ex. XXIX. Neither trial counsel nor trial defense counsel questioned any of the

military judges about whether their assignment to serve as a military judge complied with R.C.M. 502(c)(3). *See* Trial Tr. 53.

R.C.M. 502(c)(3) acknowledges that the Secretaries of the military services may prescribe “provisions for reassignment . . . in regulations.” Indeed, the Secretary of the Air Force and his designees have issued many regulations for the Department of the Air Force, *see generally* DEPARTMENT OF THE AIR FORCE E-PUBLISHING, <https://www.e-publishing.af.mil/> (last visited Aug. 31, 2026), including its Judge Advocate General’s Corps. One of them, Department of the Air Force Instruction 51-101, *The Air Force Judge Advocate General’s (AFJAG) Corps Operations, Accessions, and Professional Development* (20 June 2023, Incorporating Change 1, 22 January 2025) [hereinafter “DAFI 51-101”], provides:

11.6.1. Military judges will be assigned to the trial judiciary or Air Force Court of Criminal Appeals for a minimum of three years, except under the following circumstances:

11.6.1.1. The military judge voluntarily requests to be reassigned to other duties, and the request is consistent with mission needs;

11.6.1.2. The military judge is selected for promotion to the next higher grade and is assigned to duties commensurate with that grade;

11.6.1.3. The military judge is reassigned to other duties based on compelling needs of the service;

11.6.1.4. TJAG revokes the military judge’s certification for good cause; or

11.6.1.5. The military judge retires or separates from the Service.

Id. at ¶ 11.6.1.

To better understand whether current military judges in the Department of the Air Force are “assigned to the trial judiciary . . . for a minimum of three years,” *id.*, a civilian attorney in private practice and visiting lecturer at Yale Law School, Eugene R. Fidell, Esq., submitted a Freedom of Information Act (FOIA) request to the Department of the Air Force. He sought “[a]ll records that state the specific start-date and end-date for the judicial term of office of each current U.S. Air Force general court-martial (GCM) judge” Letter from A.M.P.Y., DAF Government Information Specialist, to Eugene Fidell (Jan. 9, 2026) (quoting Mr. Fidell’s FOIA request), *available at* https://www.nimj.org/uploads/1/3/5/5/135587129/gene_air_force.pdf [hereinafter “DAF FOIA Response”]. The request sought records concerning both active and reserve component judges with a record search date range of January 1, 2025, to August 11, 2025. *Id.*

In response, the Department of the Air Force “compiled the information requested” and generated a document “detail[ing] the name and term of each GCM and AFCCA judge for both active and reserve components.” DAF FOIA Response, Attachment. The document identifies Judge Torzynski’s “Dates of Duty” as “May 2023–Present” and Judge Thompson’s as “August 2025–Present.” *Id.* Judge Stoffel, Judge Smith and Judge Ferrell are not listed on the document. *Id.*

Mr. Fidell made similar FOIA requests to the Department of the Army, the Department of the Navy, and the Coast Guard. The Department of the Army

responded that its military judges’ “appointments are open ended, without pre-determined end dates.” Letter from Colonel Tyesha L. Smith, Chief Trial Judge, to Eugene R. Fidell (April 11, 2025), https://drive.google.com/file/d/1dwegeFs4EQVW8OcgpHm7UgVRhWgbEA_P/view?usp=drive_link [hereinafter “Army FOIA Response”]. The Department of the Navy responded that “[t]he Navy does not keep records of judicial terms for GCM Judges or NMCCA Judges.” Letter from D. Daly, Deputy Director, Office of the Judge Advocate General (Criminal Law Division), to Eugene Fidell (Aug. 15, 2025), <https://drive.google.com/file/d/1sGmTbvYT4J-SiKJrdPclPGDoWGx0nEF9/view?usp=sharing> [hereinafter “DON FOIA Response”]. The Coast Guard’s response provided no indication that its judges serve terms. *See* Letter from CAPT K. Sawyer, U.S. Coast Guard, Chief, Office of Information and Intelligence Law, to Eugene Fidell (Nov. 25, 2025), https://drive.google.com/file/d/1cQFDSwLaYhQTq-P_xPYe_Hoa9Q46OpJ-/view?usp=drive_link [hereinafter “Coast Guard FOIA Response”].

ARGUMENT

There is good cause to grant Appellant’s petition for review because this case presents a question of law that has not been, but should be, settled by this Court. C.A.A.F. R. 21(b)(5)(A). This case offers a compelling vehicle for this Court to resolve whether the Air Force’s assignment of military judges complies

with the qualification standard the President established in R.C.M. 502(c)(3). This Court should address this issue now to give military justice practitioners a clear interpretation of R.C.M. 502(c)(3) and how a lack of compliance with that rule affects court-martial jurisdiction, encouraging necessary reform to this aspect of the military justice system.

This Court's consideration of this issue is particularly appropriate because it is not Air Force-specific. The Department of the Army has the same issue, relying on its admission to Mr. Fidell that "appointments [of military judges in the Army] are open ended, without pre-determined end dates." Army FOIA Response. The same issue may exist in the Coast Guard and Department of the Navy, as well, whose FOIA responses to Mr. Fidell left uncertain the extent to which their courts-martial suffer from this jurisdictional defect. *See* DON FOIA Response; Coast Guard FOIA Response. It would be fitting for this Court to resolve this issue, since it affects at least two military departments—perhaps more.

This issue has been raised in several cases currently pending before the AFCCA, *see United States v. Robinson*, No. ACM 24044 (f rev); *United States v. Raines*, No. ACM 40765; *United States v. Young*, No. ACM 40762, and a comparable issue has been raised in at least one case pending before the Navy-Marine Corps Court of Criminal Appeals. *United States v. Lopez*, NMCCA No. 202500468. But it does not appear that any Court of Criminal Appeals has yet

addressed it. This Court may prefer to await decisions from the Courts of Criminal Appeals before considering this important, systemic issue. If so, this Court should remand Appellant's case to the AFCCA for its consideration of this issue.

I. Because Appellant's court-martial was composed incorrectly due to the military judges' lack of qualifications under R.C.M. 502(c)(3), it lacked jurisdiction under R.C.M. 201(b)(2) and its judgment is void.

A. A lack of preservation does not bar this Court from considering this jurisdictional defect and dismissing the charges against Appellant.

As a threshold matter, Appellant acknowledges that he did not raise this issue at trial nor on appeal to the AFCCA. But because this issue is jurisdictional, it may be raised for the first time on appeal. Jurisdictional challenges are "never waived and may be raised at any stage of the proceedings." *United States v. Reid*, 46 M.J. 236, 240 (C.A.A.F. 1997) (quoting *United States v. Reid*, 43 M.J. 906, 910 (A. Ct. Crim. App. 1996)); see also R.C.M. 907(b)(1); *United States v. Hymel*, No. ACM 40627, 2025 CCA LEXIS 432, at *15 (A.F. Ct. Crim. App. Sep. 11, 2025) (unpub. op.) ("Failure by the defense to move to dismiss for lack of jurisdiction at trial does not result in a waiver, and lack of jurisdiction may be raised for the first time on appeal."), *rev. denied*, *United States v. Hymel*, 86 M.J. 453, 2025 CAAF LEXIS 1028 (C.A.A.F. 2025).

If this Honorable Court declines to grant review on the basis that no lower court has yet addressed this issue, Appellant respectfully requests that his case be remanded to the AFCCA for consideration of this issue. Because this issue goes to

the heart of his court-martial and the military judges who presided over it, it should be considered before Appellant's case becomes final.

B. Standard of Review and Applicable Legal Test

“Jurisdiction is the power of a court to try and determine a case and to render a valid judgment.” *United States v. Harmon*, 63 M.J. 98, 101 (C.A.A.F. 2006).

Jurisdiction is a legal question that a military appellate court reviews de novo. *Id.*

“Generally, there are three prerequisites that must be met for courts-martial jurisdiction to vest: (1) jurisdiction over the offense, (2) personal jurisdiction over the accused, and (3) a properly convened and composed court-martial.” *Id.* This case presents the question of whether a court-martial presided over by an officer who was not serving as a military judge for a “term” as required by R.C.M. 502(c)(3) was properly composed.

C. Summary of Argument

The President has decreed that “for a court-martial to have jurisdiction . . . [it] must be composed in accordance with these rules [R.C.M.s] with respect to number and qualifications of its personnel.” R.C.M. 201(b)(2). Under this rule, “personnel” includes the “military judge.” *Id.* Thus, whether a military judge satisfies the presidentially established qualification standards for a court-martial to be properly composed is a jurisdictional question. *Harmon*, 63 M.J. at 101. Because each of Appellant's military judges did not satisfy a qualification standard

to be a military judge, R.C.M. 502(c)(3), his court-martial was not composed correctly and accordingly lacked jurisdiction.

D. Appellant’s military judges lacked all the qualifications required by R.C.M. 502(c) because they were not appointed for “term[s] of not less than three years.” R.C.M. 502(c)(3).

R.C.M. 502(c) prescribes “*Qualifications of military judge and military magistrate.*” R.C.M. 502(c), *MCM*, (2019 ed.). R.C.M. 502(c)(3) requires that: “A person assigned for duty as a military judge shall serve as a military judge for a term of not less than three years, subject to such provisions for reassignment as may be prescribed in regulations issued by the Secretary concerned.” Exec. Order No. 13825 of March 1, 2018, at Annex 2, § 2, 83 Fed. Reg. 9889, 9941 (Mar. 8, 2018) (codified at R.C.M. 502(c)(3), *MCM* (2019 ed.)). President Trump prescribed this new qualification for military judges in 2018 under the authority vested in him “as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice (UCMJ), 10 U.S.C. §§ 801–946).” *Id.*; *see* R.C.M. 502(c)(3); *see also* Article 26(c)(4), UCMJ, 10 U.S.C. § 826(c)(4); Article 36(a), UCMJ, 10 U.S.C. § 836(a). This provision remains unchanged.

Courts “use well-established principles of statutory construction to construe provisions in the *Manual for Courts-Martial.*” *United States v. Lewis*, 65 M.J. 85, 88 (C.A.A.F. 2007) (citing *United States v. McNutt*, 62 M.J. 16, 20 n.27 (C.A.A.F.

2005); *United States v. Lucas*, 1 C.M.A. 19, 22, 1 C.M.R. 19, 22 (1951)). The most well-established principle of statutory construction is that “when the statutory language is plain,” a court “must enforce it according to its terms.” *Jimenez v. Quarterman*, 555 U.S. 113, 118 (2009) (citing *Dodd v. United States*, 545 U.S. 353, 359 (2005); *Lamie v. United States Tr.*, 540 U.S. 526, 534 (2004); *Hartford Underwriters Ins. Co. v. Union Planters Bank, N. A.*, 530 U.S. 1, 6 (2000); *Caminetti v. United States*, 242 U.S. 470, 485 (1917)). Considering the definition of the word “term,” *Term* (4), BLACK’S LAW DICTIONARY (12th ed. 2024) (defining “term” as a “fixed period of time”); *Term* (2 a), MERRIAM-WEBSTER’S COLLEGIATE DICTIONARY (12th ed. 2026) (defining “term” as “a limited or definite extent of time”),¹ the plain language of R.C.M. 502(c)(3) is that military judges’

¹ Military appellate courts routinely consult dictionaries in general—and BLACK’S LAW DICTIONARY and MERRIAM-WEBSTER dictionaries in particular—to elucidate texts’ plain meaning. *See, e.g., United States v. Strong*, 85 M.J. 58, 64 (C.A.A.F. 2024) (relying on BLACK’S LAW DICTIONARY’s definition of “seize” to interpret Article 131e, UCMJ, 10 U.S.C. § 931e); *United States v. Badders*, 82 M.J. 299, 303 nn.3, 4 (C.A.A.F. 2022) (relying on BLACK’S LAW DICTIONARY’s and MERRIAM-WEBSTER’S UNABRIDGED ONLINE DICTIONARY’s definitions of “terminate” and “proceedings” to interpret Article 62(a)(1)(A), UCMJ, 10 U.S.C. § 862(a)(1)(A)); *United States v. Edwards*, 82 M.J. 239, 244 (C.A.A.F. 2022) (relying on BLACK’S LAW DICTIONARY’s definition of “oral” and MERRIAM-WEBSTER’S DICTIONARY’s definition of “writing” to interpret R.C.M. 1001A(e)); *United States v. Szabo*, No. ACM 40690, 2026 CCA LEXIS 193, at *24 (A.F. Ct. Crim. App. Apr. 23, 2026) (relying on BLACK’S LAW DICTIONARY’s and MERRIAM-WEBSTER’s definitions of “real property” and “personal property” to interpret Article 109, UCMJ, 10 U.S.C. § 909), *petition filed*, __ M.J. __, No. 26-0224/AF, 2026 CAAF LEXIS 534 (C.A.A.F. June 18, 2026).

assignments must have a fixed end date that is at least three years after the beginning date in order for them to be qualified to serve on a court-martial. That date could be, for example, three years, four years, or five years after the service begins, but it must be a specific date, thereby establishing a “fixed period” of judicial service. *See Term* (4), BLACK’S LAW DICTIONARY. Without such a specified end date, the period of judicial service is neither “limited” nor a “definite extent of time,” thus falling outside the definition of “term.” *See Term* (2 a), MERRIAM-WEBSTER’S COLLEGIATE DICTIONARY.

The President’s use of the phrase “not less than three years” to modify the word “term” placed a limitation on officials in charge of military judicial assignments: the end date they establish for a military trial judge’s term may not be less than 36 months from the assignment’s beginning. Had the President intended to allow military judges to serve for an undelimited period of at least three years, he would not have used the word “term.” Rather, he would have removed the words “a term of” from R.C.M. 502(c)(3).

The “surplusage” canon requires “that, if possible, every word and every provision is to be given effect and that no word should be ignored or needlessly be given an interpretation that causes it to duplicate another provision or to have no consequence.” *United States v. Sager*, 76 M.J. 158, 161 (C.A.A.F. 2017). Thus, the words “a term of” when used in R.C.M. 502(c)(3)’s phrase “shall serve as a

military judge for a term of not less than three years” must be presumed, if possible, to carry meaning. An interpretation giving effect to those words is not merely possible, but also the best plain language interpretation of R.C.M. 502(c)(3): R.C.M. 502(c)(3) requires both (1) a fixed period of judicial service with a prescribed end date, and (2) that the prescribed end date be at least three years from the start date.

For Judge Torczynski and Judge Thompson,² it is confirmed that they were not serving as military judges for a fixed or limited period of time because the Department of the Air Force identified their “end-date for the judicial term of office” as “Present,” rather than a date that is at least three years after their start date. DAF FOIA Response. This shows that they served or are serving as military judges in an “open-ended” status, *see* Army FOIA Response, rather than for a “term” as required by R.C.M. 502(c)(3).

For the three other judges, Judge Stoffel, Judge Smith, and Judge Ferrell, there is no evidence in the record indicating that they were assigned for a term, nor whether, if assigned for a term, the term was for at least three years. When discussing the military judges’ detailings on the record, Judge Ferrell did not discuss how, nor how long, he was assigned to serve as a military judge. Trial Tr.

² Judge Thompson did not preside over the court-martial in any way but was nonetheless detailed. App. Ex. XXVIII.

48. No counsel asked any of the judges about this either. Trial Tr. 5, 16–17, 52–53. While trial defense counsel certainly forfeited an opportunity to question these judges about their qualifications under R.C.M. 502(c)(3), this issue can still be raised on appeal because it is jurisdictional. As discussed in subsection I.F, *infra*, now that the jurisdictional issue has been raised, it is the government’s responsibility to demonstrate jurisdiction.

E. Appellant’s court-martial lacked jurisdiction to try him because the military judges detailed were not qualified under R.C.M. 502(c)(3).

If any of the military judges who presided over Appellant’s court-martial were not serving for a term that satisfied R.C.M. 502(c)(3)’s requirement, then they did not meet the President’s qualification standards to preside over a court-martial. Under R.C.M. 201(b)(2), this is a jurisdictional defect: “for a court-martial to have jurisdiction . . . [it] must be composed in accordance with these rules with respect to . . . qualifications of its personnel.” “As used here ‘personnel’ includes only the military judge, the members, and the summary court-martial.” *Id.*

F. The finding of guilty must be set aside and the court-martial voided because there was no jurisdiction, unless the Government can meet its burden of demonstrating that the court-martial has jurisdiction.

“When a criminal action is tried before a court which does not have jurisdiction, the entire proceedings are a nullity.” *United States v. Henderson*, 59 M.J. 350, 354 (C.A.A.F. 2004) (quoting *United States v. Bancroft*, 11 C.M.R. 3, 11 (C.M.A. 1953)). The resulting findings and sentence are “therefore void.” *Id.* at

353. Because the tribunal that tried Appellant did not satisfy the presidentially prescribed “[r]equisites of court-martial jurisdiction,” R.C.M. 201(b), its judgment is void. *Henderson*, 59 M.J. at 353. The findings and sentence must, therefore, be set aside.

The Government bears the burden to prove jurisdiction by a preponderance of the evidence, not the defense. *United States v. Oliver*, 57 M.J. 170, 172 (C.A.A.F. 2002) (citing *United States v. McDonagh*, 14 M.J. 415, 422, 424 (C.M.A. 1983) (Everett, C.J.; Cook, J., concurring in part); *United States v. Laws*, 11 M.J. 475, 476–77 (C.M.A. 1981) (Cook, J.; Everett, C.J., concurring in the result); 1 Francis A. Gilligan and Fredric I. Lederer, COURT-MARTIAL PROCEDURE § 2-52.10 at 85 (2d ed. 1999)). The defense’s jurisdictional challenge—which may be raised at any stage of the proceedings—compels the Government to demonstrate jurisdiction. *Id.*; R.C.M. 907(b)(1); *see also Hymel*, 2025 CCA LEXIS 432, at *15 (citing *United States v. Heimer*, 34 M.J. 541, 548 (A.F.C.M.R. 1991)) (“This court can consider ‘appropriate documentation’ submitted by the Government on appeal to prove jurisdiction existed at the contested time.”). The Government must establish that the military judges who presided over Appellant’s court-martial were all serving a term of at least three years at the time of trial, or it cannot carry its burden to demonstrate that the court-martial had jurisdiction.

G. Widespread jurisdictional defects cannot continue in the military justice system. This Court should grant review to definitively interpret R.C.M. 502(c)(3), thereby encouraging systemic reform to meet its requirements.

This Court should grant review not only to give Appellant relief from the judgment of a court-martial that had no jurisdiction to try him, but also to prevent the same predicament for countless others. A ruling granting relief to Appellant would serve as a basis for military justice practitioners to challenge faulty court-martial compositions and ensure service members accused of crimes are brought to trial in accordance with the R.C.M.s. This would encourage systemic reform in how military judges are appointed to their positions so that the compositions of all courts-martial comply with R.C.M. 502(c)(3).

CONCLUSION

Appellant requests that this Honorable Court grant review of his case to clarify the requirements of R.C.M. 502(c)(3) and to settle this jurisdictional question. Alternatively, Appellant requests that this Honorable Court remand his case to the AFCCA for its consideration of this jurisdictional defect.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Paige F. Markley Denton".

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APPENDIX

**UNITED STATES AIR FORCE
COURT OF CRIMINAL APPEALS**

No. ACM 40791

UNITED STATES

Appellee

v.

Keith A. COOPER, Jr.

Airman First Class (E-3), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 16 June 2026

Military Judge: Matthew P. Stoffel (arraignment); Lance R. Smith (protective order and continuance); Lauren M.D. Torczynski (arraignment, motions); J. Peter Ferrell.

Sentence: Sentence adjudged 2 October 2024 by GCM convened at Cannon AFB, New Mexico. Sentence entered by military judge on 5 November 2024: Dishonorable discharge, confinement for 1 year, reduction to E-1, and a reprimand.

For Appellant: Major Samantha M. Castanien, USAF.

For Appellee: Major Vanessa Bairos, USAF; Major Heather R. Bezold, USAF; Major Kate E. Lee, USAF.

Before GRUEN, KEARLEY, and MORGAN, *Appellate Military Judges*.

This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 30.4.

PER CURIAM:

The findings as entered are correct in law. Article 66(d), Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 866(d) (*Manual for Courts-Martial, United States* (2024 ed.)). In addition, the sentence as entered is correct in law

and fact, and no error materially prejudicial to the substantial rights of Appellant occurred. Articles 59(a) and 66(d), UCMJ, 10 U.S.C. §§ 859(a), 866(d) (*Manual for Courts-Martial, United States* (2019 ed.)). Accordingly, the findings and sentence are **AFFIRMED**.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court

CERTIFICATE OF COMPLIANCE

The undersigned counsel hereby certifies that: (1) this supplement complies with the type-volume limitation of Rule 21 because it contains 3,834 words; and (2) this supplement complies with the style requirements of Rule 37.

CERTIFICATE OF FILING AND SERVICE

I certify that I electronically filed a copy of the foregoing with the Clerk of Court on September 1, 2026, and that a copy was also electronically served on the Air Force Government Trial and Appellate Operations Division at af.jajg.afloa.filng.workflow@us.af.mil on the same date.



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