

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

UNITED STATES	)	ACM 38875 (rem)
<i>Appellee</i>	)	
	)	
v.	)	
	)	<b>ORDER</b>
Corey J. CAMPBELL	)	
Staff Sergeant (E-5)	)	
U.S. Air Force	)	
<i>Appellant</i>	)	<b>Panel No. 2</b>

In Appellant’s initial appeal to this court, we affirmed the findings and sentence. *United States v. Campbell*, No. ACM 38875, 2017 CCA LEXIS 153 (A.F. Ct. Crim. App. 28 Feb. 2017) (unpub. op.). The United States Court of Appeals for the Armed Forces (CAAF) granted review on the issue of whether this court erred when we held that the military judge’s use of charged conduct for propensity purposes, although error, was not constitutional error and we did not test for prejudice using the harmless beyond a reasonable doubt standard. *United States v. Campbell*, 76 M.J. 440 (C.A.A.F. 2017) (mem.). The CAAF granted the petition, set aside our prior decision, and remanded the case to this court for further consideration in light of *United States v. Hukill*, 76 M.J. 219 (C.A.A.F. 2017). *Id.*

On remand, we found the military judge’s error was harmless beyond a reasonable doubt. *United States v. Campbell*, No. ACM 38875 (rem), 2017 CCA LEXIS 754 (A.F. Ct. Crim. App. 13 Dec. 2017). However, the CAAF granted review on the issue of whether our determination of harmlessness beyond a reasonable doubt was incorrect, and summarily reversed our decision as to Charge I and Specification 4 thereunder, Additional Charge I and Specifications 1 and 2 thereunder, and the sentence. *United States v. Campbell*, \_\_\_ M.J. \_\_\_, No. 18-0122, 2018 CAAF LEXIS 209 (C.A.A.F. 18 Apr. 2018) (mem.). The CAAF set aside those charges and specifications and the sentence, affirmed the remaining findings, returned the record to The Judge Advocate General for remand to this court, and authorized us to order a rehearing on the set-aside charges and specifications and on the sentence. *Id.*

Accordingly it is by the court on this 12th day of July, 2018,

**ORDERED:**

The record of trial is returned to The Judge Advocate General for remand to the convening authority for further action consistent with the CAAF's decision; a rehearing as to Charge I and Specification 4 thereunder, Additional Charge I and Specifications 1 and 2 thereunder, and the sentence is authorized. Article 66(e), Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 866(e).



FOR THE COURT

*Carol K. Joyce*

CAROL K. JOYCE  
Clerk of the Court