

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

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**No. ACM 39105 (f rev)**

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**UNITED STATES**

*Appellee*

v.

**Derek R. MOORE**

Senior Airman (E-4), U.S. Air Force, *Appellant*

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*Upon further review*

Decided 20 December 2017

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*Military Judge:* Natalie D. Richardson.

*Approved sentence:* Dishonorable discharge, confinement for 25 years, forfeiture of all pay and allowances, and reduction to E-1. Sentence adjudged 2 March 2016 by GCM convened at Luke Air Force Base, Arizona.

*For Appellant:* Major Mark C. Bruegger, USAF.

*For Appellee:* Lieutenant Colonel Joseph J. Kubler, USAF; Major Mary Ellen Payne, USAF; Major Meredith L. Steer, USAF; Captain Michael T. Bunnell, USAF; Gerald R. Bruce, Esquire.

Before MAYBERRY, SPERANZA, and DENNIS, *Appellate Military Judges*.

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**This is an unpublished opinion and, as such, does not serve as  
precedent under AFCCA Rule of Practice and Procedure 18.4.**

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PER CURIAM:

In *United States v. Moore*, No. ACM 39105, 2017 CCA LEXIS 641 (A.F. Ct. Crim. App. 29 Sep 2017) (unpub. op.), this court set aside the action and returned the record of trial to The Judge Advocate General of the Air Force for remand to an appropriate convening authority for new post-trial processing

consistent with our opinion. *Id.* On 15 November 2017, the convening authority complied with our decision.

Upon further review, the approved findings and sentence are correct in law and fact, and no error materially prejudicial to Appellant's substantial rights occurred. Articles 59(a) and 66(c), Uniform Code of Military Justice, 10 U.S.C. §§ 859(a), 866(c). Accordingly, the approved findings and sentence are **AFFIRMED**.



FOR THE COURT

*Kathleen M. Potter*

KATHLEEN M. POTTER  
Acting Clerk of the Court