

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

UNITED STATES)	ACM 39645
<i>Appellee</i>)	
)	
v.)	
)	ORDER
Joshua D. BECHTEL)	
Technical Sergeant (E-6))	
U.S. Air Force)	
<i>Appellant</i>)	Panel 1

On 25 April 2019, Appellant submitted his case for our review without specific assignments of error. On 8 November 2019, we ordered the parties to file briefs on three specified issues related to the statute of limitations in Specifications 1 and 2 of Charge I. The briefs on the specified issues are due on 20 December 2019.

On 16 December 2019, Appellant submitted a Motion to Withdraw from Appellate Review and Motion to Attach Document. Specifically, Appellant moved to attach DD Form 2330, Waiver/Withdrawal of Appellate Rights in General and Special Courts-Martial Subject to Review by a Court of Criminal Appeals, signed by Appellant on 3 December 2019 and served to the court by Appellant’s counsel on 16 December 2019.

On 17 December 2019, the Government submitted their brief on the specified issues. The Government argues we should grant the motion to withdraw but also addresses the merits of the specified issues consistent with our order.

During our review of Appellant’s case, an error in the promulgating order was noticed that is unrelated to the issues we specified for briefing. The promulgating order shows that in Specification 4 of Charge I, Appellant was convicted of committing the offense “on divers occasions.” The charge sheet shows this offense was not charged “on divers occasions.”

Accordingly, it is by the court on this 20th day of December, 2019,

ORDERED:

Given Appellant’s Motion to Withdraw from Appellate Review, our 8 November 2019 order for Appellant to file a brief on the specified issues is **RESCINDED**. No further action is required with regard to the rescinded order.

We order no action to correct the error in the promulgating order regarding Specification 4 of Charge I. This matter may be addressed during review of Appellant’s case under Rule for Courts-Martial (R.C.M) 1112.

Appellant's Motion to Withdraw from Appellate Review and Motion to Attach Document are **GRANTED**. Appellant's case is forwarded to the Appellate Records Branch, AFLOA/JAJM, for further processing in accordance with Rules for Courts-Martial 1110(g)(3) and 1112 (2016).



FOR THE COURT

A handwritten signature in blue ink, appearing to read "Cora C. Applen", is written over the typed name.

CORA C. APPLEN, TSgt, USAF
NCOIC, U.S. Air Force Court of Criminal Appeals