

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

No. ACM S32636

UNITED STATES
Appellee

v.

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

Appeal from the United States Air Force Trial Judiciary
Decided 22 April 2021

Military Judge: Elizabeth M. Hernandez.

Sentence: Sentence adjudged 10 December 2019 by SpCM convened at McConnell Air Force Base, Kansas. Sentence entered by military judge on 16 January 2020: Bad-conduct discharge, confinement for 90 days, reduction to E-1, and a reprimand.

For Appellant: Major Benjamin H. DeYoung, USAF.

For Appellee: Lieutenant Colonel Matthew J. Neil, USAF; Mary Ellen Payne, Esquire.

Before POSCH, RICHARDSON, and MEGINLEY, *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**This is an unpublished opinion and, as such, does not serve as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 and sentence entered are 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.).^{1,2} Accordingly, the findings and sentence are **AFFIRMED**.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court

¹ Appellant was convicted of offenses that occurred before 1 January 2019, but were referred after 1 January 2019. Consistent with the respective opinions of the judges of this panel in *United States v. Barrick*, No. ACM S32579, 2020 CCA LEXIS 346 (A.F. Ct. Crim. App. 30 Sep. 2020) (unpub. op.), and subsequent cases, we find that action on the components of the sentence that the convening authority approved as adjudged was not required. Nonetheless, the convening authority’s Decision on Action memorandum is “clear and unambiguous,” *United States v. Politte*, 63 M.J. 24, 25–26 (C.A.A.F. 2006) (footnotes omitted), and Appellant suffered no prejudice even if there was error.

² We note the Statement of Trial Results in this case failed to include the command which convened the court-martial as required by Rule for Courts-Martial (R.C.M.) 1101(a)(3). Appellant has made no claim of prejudice and we find none. *See United States v. Moody-Neukom*, No. ACM S32594, 2019 CCA LEXIS 521, at *2–3 (A.F. Ct. Crim. App. 16 Dec. 2019) (per curiam) (unpub. op.).