

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

No. ACM 39323

UNITED STATES
Appellee

v.

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

Appeal from the United States Air Force Trial Judiciary
Decided 21 December 2018

Military Judge: Andrew Kalavanos.

Approved sentence: Bad conduct discharge, confinement for 9 months, and reduction to E-1. Sentence adjudged 2 June 2017 by GCM convened at Vandenberg Air Force Base, California.

For Appellant: Major Allen S. Abrams, USAF; Major Mark C. Bruegger, USAF.

For Appellee: Lieutenant Colonel Joseph J. Kubler, USAF; Captain Peter F. Kellett, USAF; Mary Ellen Payne, Esquire.

Before HUYGEN, MINK, and POSCH, *Appellate Military Judges*.

This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.

PER CURIAM:

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

A handwritten signature in cursive script that reads "Julie L. Adams".

JULIE L. ADAMS
Deputy Clerk of the Court

* We note that the convening authority's memorandum dated 20 June 2017, denying Appellant's request for deferment of the reduction in rank and the automatic forfeiture of pay, failed to articulate the reasons for the denial as required by Rule for Courts-Martial 1101(c)(3). See *United States v. Jalos*, No. ACM 39138, 2017 CCA LEXIS 607, at *5–6 (A.F. Ct. Crim. App. 5 Sep. 2017) (unpub. op.) (citations omitted). However, our review of the record of trial reveals no colorable showing of possible prejudice as a result of the convening authority's error, see *id.* at *6–7, and we conclude that no relief is warranted.