

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

UNITED STATES)	No. ACM 40107
<i>Appellee</i>)	
)	
v.)	
)	ORDER
Jaden C. ROSS)	
Airman First Class (E-3))	
U.S. Air Force)	
<i>Appellant</i>)	Panel 1

On 18 January 2022, Appellant submitted a Motion to Withdraw from Appellate Review and Motion to Attach. 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 both Appellant and Appellant’s counsel on 18 January 2022.

On 19 January 2022, Appellant’s counsel submitted a Motion to Amend. In this motion, Appellant’s counsel states that the DD Form 2330 “was intended to be filed with Appellant having circled ‘withdraw my case from appellate review’ and lined through ‘waive my rights to appellate review,’ just above his signature.” Attached to this motion was the first page of the DD Form 2330 reflecting the described modifications. The second page to the DD Form 2330 was not included with this motion and remains with the 18 January 2022 motion.

The Government did not submit any opposition.

The court considers the amended first page of the DD Form 2330 as attached to the second page of the DD Form 2330 from the 18 January 2022 motion, and therefore finds the withdrawal substantially compliant with Rule for Courts-Martial (R.C.M.) 1115 (*Manual for Courts-Martial, United States* (2019 ed.) (2019 *MCM*)).

Accordingly, it is by the court on this 25th day of January, 2022,

ORDERED:

Appellant’s Motion to Amend and Motion to Withdraw from Appellate Review and Motion to Attach are **GRANTED**. Appellant’s case is forwarded to

the Appellate Records Branch, AFLOA/JAJM, for further processing in accordance with R.C.M. 1115(f)(3) and 1201 (2019 *MCM*).



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court