

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

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**No. ACM S32555**

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**UNITED STATES**  
*Appellee*

**v.**

**Austin C.A. DECLUE**  
Senior Airman E-4, U.S. Air Force, *Appellant*

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Appeal from the United States Air Force Trial Judiciary  
Decided 22 August 2019

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*Military Judge:* Bryon T. Gleisner.

*Approved sentence:* Bad-conduct discharge, confinement for 135 days, and reduction to E-1. Sentence adjudged 11 September 2018 by SpCM convened at Barksdale Air Force Base, Louisiana.

*For Appellant:* Captain David A. Schiavone, USAF.

Before MAYBERRY, MINK, and D. JOHNSON, *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**This is an unpublished opinion and, as such, does not serve as  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 30.4.**

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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).<sup>1</sup>  
Accordingly, the approved findings and sentence are **AFFIRMED**.<sup>2</sup>



FOR THE COURT

*Carol K. Joyce*

CAROL K. JOYCE  
Clerk of the Court

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<sup>1</sup> *Manual for Courts-Martial, United States* (2016 ed.).

<sup>2</sup> We note the Court-Martial Order (CMO) dated 30 November 2018 states that Specification 3 of the Charge was withdrawn and dismissed after arraignment. The military judge erroneously announced a finding of Not Guilty to this Specification. The Court orders promulgation of a corrected CMO.