

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

UNITED STATES)	No. ACM 25036
<i>Appellee</i>)	
)	
v.)	
)	ORDER
Daniel J. DELOE)	
Senior Airman (E-4))	
U.S. Air Force)	
<i>Appellant</i>)	Panel 2

On 22 December 2025, Appellant submitted his case to this court on its merits with no specific assignments of error, but personally raises two issues pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982). Neither issue raised involves correction of the record. On 21 January 2026, the Government filed its answer, and on 28 January 2026, Appellant filed a reply to the Government’s answer.

In our initial Article 66, UCMJ, review, we note the following two discrepancies in the record:

- (1) Special Order AB-1 is missing in the record. On the first page of the certified transcript the convening order, Special Order AB-4, dated 27 March 2024, was amended by Special Order AB-1, dated 2 October 2024, and is “included in the certified [Record of Trial].”
- (2) Prosecution Exhibit 1, the Stipulation of Fact, has an attachment described as “Accused [Office of Special Investigations] Interview, 18 March 2023, (mp4 files).” On page 69 of the certified transcript, the trial counsel describes the “files” as “[b]oth files are 56 minutes and 25 seconds in length.” This attachment is missing in the record despite the admission of Prosecution Exhibit 1.

Accordingly, it is by the court on this 9th day of April, 2026,

ORDERED:

The record of trial in Appellant’s case is **RETURNED** to the Chief Trial Judge, Air Force Trial Judiciary, for correction under Rule for Courts-Martial (R.C.M.) 1112(d) to account for the above-described defects, and any other portion of the record that is determined to be missing or defective hereafter, after consultation with the parties. *See* R.C.M. 1112(d)(2)–(3). Thereafter, the record

of trial will be returned to this court for completion of its appellate review under Article 66(d), Uniform Code of Military Justice, 10 U.S.C. § 866(d).

The record of trial will be returned to the court not later than **30 APRIL 2026**. If the record cannot be returned to the court by that date, the Government will inform the court in writing not later than **27 APRIL 2026** of the status of the Government's compliance with this order.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court