

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

No. ACM S32465 (f rev)

UNITED STATES

Appellee

v.

Bryce J. SPELTS

Airman (E-2), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Upon Further Review

Decided 17 August 2018

Military Judge: Joseph S. Imburgia.

Approved sentence: Bad-conduct discharge, confinement for 30 days, hard labor without confinement for 2 months, reduction to E-1, and a reprimand. Sentence adjudged 16 February 2017 by SpCM convened at Holloman Air Force Base, New Mexico.

For Appellant: Major Jarett F. Merk, USAF.

For Appellee: Lieutenant Joseph J. Kubler, USAF; Mary Ellen Payne, Esquire.

Before JOHNSON, MINK, and DENNIS, *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This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.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:

In *United States v. Spelts*, No. ACM S32465, 2018 CCA LEXIS 251 (A.F. Ct. App. 16 May 2018) (unpub. op.), this court set aside the action and returned the record of trial to The Judge Advocate General of the Air Force for remand

to the appropriate convening authority for new post-trial processing consistent with our opinion. On 13 July 2018, the convening authority complied with our decision.

Upon further review, 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 **AF-FIRMED**.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court