

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
PENLAND, HAYES, and MORRIS
Appellate Military Judges

UNITED STATES, Appellee
v.
Sergeant THOMAS M. ADAMS
United States Army, Appellant

ARMY 20130693

Headquarters, 1st Infantry Division and Fort Riley (trial)
Headquarters, U.S. Army Combined Arms Center
and Fort Leavenworth (rehearing and sentence rehearing)
Jeffrey R. Nance, Military Judge (trial)
J. Harper Cook, Military Judge (rehearing)
Steven C. Henricks, Military Judge (sentence rehearing)
Lieutenant Colonel John A. Hammer, Staff Judge Advocate (trial)
Colonel Jarrett W. Dunlap, Jr., Staff Judge Advocate (rehearing)
Colonel Robert L. Manley III, Staff Judge Advocate (sentence rehearing)

For Appellant: Major Bryan A. Osterhage, JA; Frank J. Spinner, Esquire (on brief).

For Appellee: Lieutenant Colonel Jacqueline J. DeGaine, JA; Major Kalin P. Schlueter, JA; Captain Stewart A. Miller, JA (on brief).

22 January 2024

DECISION ON FURTHER REVIEW

Per Curiam:

On 6 January 2017, a panel of this Court set aside the findings and sentence and authorized a rehearing. *United States v. Adams*, ARMY 20130693, 2017 CCA LEXIS 6 (Army Ct. Crim. App. 6 Jan. 2017) (mem. op.). The government preferred new charges and held a rehearing in 2017. On 13 July 2020, this court set aside and dismissed Specification 1 of Charge III and affirmed the remaining findings of guilty and the sentence. *United States v. Adams*, ARMY 20130693, 2020 CCA LEXIS 232 (Army Ct. Crim. App. 13 Jul. 2020). On 9 September 2021, the Court of Appeals for the Armed Forces (CAAF) reversed this court's decision as to Specifications 2, 3, 4, and 5 of Charge II, and Specification 1 of Charge IV, and the

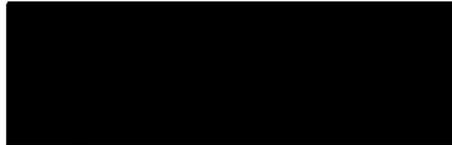
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sentence. *United States v. Adams*, 81 M.J. 475 (C.A.A.F. 2021). CAAF affirmed the remaining findings and returned the record to the Judge Advocate General for remand to this court, authorizing a reassessment of the sentence or a sentence rehearing. *Id.*

On 13 May 2022, a military judge sitting as a general court-martial sentenced appellant to a dishonorable discharge, reduction to the grade of E-1, and confinement for 260 months. The record is now before us for further review.

On consideration of the entire record, we hold the sentence as approved by the convening authority correct in law and fact. Accordingly, the sentence is **AFFIRMED**.

FOR THE COURT:



JOSEPH P. TALBERT
Assistant Deputy Clerk of Court