

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
POND, JUETTEN, and PARKER
Appellate Military Judges

UNITED STATES, Appellee
v.
Specialist JAMES A. GAILOR
United States Army, Appellant

ARMY 20230362

Headquarters, Fort Drum
James Barkei and Adam S. Kazin, Military Judges
Lieutenant Colonel Jessica M. Farrell, Staff Judge Advocate

For Appellant: Major Robert W. Rodriguez, JA; Captain Robert W. Duffie, JA.

For Appellee: Lieutenant Colonel Kalin P. Schlueter, JA.

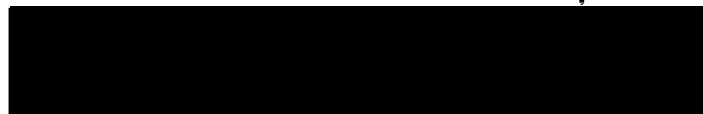
30 October 2024

DECISION

Per Curiam:

On consideration of the entire record, including consideration of the issues personally specified by the appellant, we hold the findings of guilty and the sentence, as entered in the Judgment, correct in law and fact. Accordingly, those findings of guilty and the sentence are AFFIRMED.*

FOR THE COURT:



JAMES W. HERRING, JR.
Clerk of Court

* The Statement of Trial Results indicates specifications 1 and 2 of Charge I were “Dismissed without prejudice, to ripen upon appellate review.” At trial, the

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Government, in accordance with the plea agreement, moved to dismiss Charge I and its specifications. The military judge acknowledged the Government's motion and stated he would defer ruling on the motion until announcement of sentence.

Ultimately, the military judge never ruled on the Government's motion nor formally dismissed Charge I and its specifications on the record. As a matter of judicial economy, we dismiss Charge I and its specifications.