

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
KERN, MORAN, and ALDYKIEWICZ
Appellate Military Judges

UNITED STATES, Appellee
v.
Staff Sergeant SEAN B. ADAMS
United States Army, Appellant

ARMY 20120665

Headquarters, Fort Hood
Patricia H. Lewis, Military Judge
Lieutenant Colonel Craig E. Merutka, Acting Staff Judge Advocate (advice)
Colonel Stuart W. Risch, Staff Judge Advocate (recommendation)
Colonel Richard W. Rousseau, Staff Judge Advocate (addendum)

For Appellant: Major Vincent T. Shuler, JA; Captain Patrick A. Crocker, JA.

For Appellee: Lieutenant Colonel James L. Varley, JA.

22 May 2014

SUMMARY DISPOSITION

Per curiam:

Upon review of the entire record pursuant to Article 66, UCMJ, we note that the convening authority deferred appellant's adjudged and automatic forfeitures until action, effective 19 July 2012. However, the convening authority's action erroneously states that the adjudged and automatic forfeitures were deferred effective 19 July 2013. We further note that this lengthy period of deferred forfeitures undercuts appellant's claim, personally raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), that the dilatory post-trial processing of his case warrants relief, where it took 526 days to process appellant's court-martial to action. Additionally, the staff judge advocate recommended that the convening authority approve one month of confinement less than the pretrial agreement required because of the post-trial delay in this case, clemency which the convening authority approved. Given this extensive relief, the matters raised pursuant to *Grostefon* do not warrant additional relief. The findings and the sentence as approved by the convening authority are AFFIRMED.



FOR THE COURT:

A handwritten signature in black ink, which appears to read "Malcolm H. Squires, Jr.".

MALCOLM H. SQUIRES, JR.
Clerk of Court