

United States Navy - Marine Corps  
Court of Criminal Appeals

UNITED STATES

Appellee

v.

Travis J. GLOSSER  
Sergeant (E-5), U.S. Marine Corps  
U. S. Marine Corps  
Appellant

NMCCA No. 201900293

Special Panel 2

ORDER

*Remanding Case for  
New Post-Trial Processing*

Upon consideration of the record of trial, the Court determined that the convening authority failed to defer and waive automatic forfeiture of allowances<sup>1</sup> as required by the pretrial agreement.<sup>2</sup> The Court further determined that the military judge failed to address the convening authority's obligation to defer and waive automatic forfeiture of allowances in Section E, paragraph 24, of the Statement of Trial Results; and, Section C, paragraph 35, of the Entry of Judgment.

Accordingly, it is, by the Court, this 19th day of March 2020,

**ORDERED:**

1. That the Statement of Trial Results is **SET ASIDE**.
2. That the Convening Authority's Action is **SET ASIDE**.
3. That the Entry of Judgment is **SET ASIDE**.
4. That the record of trial is returned to the Judge Advocate General for remand to the Navy-Marine Corps Chief Trial Judge to detail a military judge to reaccomplish the Statement of Trial Results in compliance with Rule For Courts-Martial (R.C.M.) 1101. Next, the record will be forwarded to the convening authority to reaccomplish the Convening Authority's Action in

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<sup>1</sup> A general court-martial consisting of a military judge sitting alone sentenced Appellant to reduction to E-1, confinement for 20 months, and a bad-conduct discharge. Such a sentence results in the automatic forfeiture of all pay and allowances due Appellant during his period of confinement. Article 58b, Uniform Code of Military Justice, 10 U.S.C. § 58b (2012).

<sup>2</sup> The convening authority correctly deferred and waived automatic forfeiture of *pay* as required by the pretrial agreement. The errors discussed herein relate only to the convening authority's obligation to defer and waive automatic forfeiture of *allowances*.

compliance with R.C.M. 1110. Thereafter the record will be forwarded to the military judge to reaccomplish the Entry of Judgment in accordance with R.C.M. 1111. Finally, the record will be returned to this Court for completion of appellate review.



FOR THE COURT:

A handwritten signature in blue ink, which appears to read "Roger A. Drew, Jr.", is written over the printed name.

RODGER A. DREW, JR.  
Clerk of Court

Copy to:  
NMCCA (51.2)  
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