

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Senior Airman KENNETH W. BARNES II
United States Air Force**

ACM 36884

20 July 2007

Sentence adjudged 19 July 2006 by GCM convened at RAF Mildenhall, United Kingdom. Military Judges: Gordon R. Hammock and Adam Oler.

Approved sentence: Bad-conduct discharge, confinement for 30 months, and reduction to E-1.

Appellate Counsel for Appellant: Lieutenant Colonel Mark R. Strickland and Captain John S. Fredland.

Appellate Counsel for the United States: Colonel Gerald R. Bruce.

Before

SCHOLZ, JACOBSON, and THOMPSON
Appellate Military Judges

PER CURIAM:

This case is before this Court on its merits with no assignments of error. The appellant correctly points out, however, that the court-martial order is defective in that it erroneously states the appellant pled guilty to a lesser included offense in Specification 1 of Charge I. The appellant asserts no prejudicial error, but requests this Court order a corrected court-martial order. We concur, and hereby direct that a corrected court-martial order be accomplished to accurately reflect the pleas in this case.

The approved findings and sentence are correct in law and fact, and no error prejudicial to the substantial rights of the appellant occurred. Article 66(c), UCMJ, 10 U.S.C. § 866(c); *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL

The seal is circular with "U.S. AIR FORCE" at the top and "DEPARTMENT OF CRIMINAL APPEALS" at the bottom. The center features a stylized eagle and a scale of justice. A handwritten signature in cursive is written across the seal.

MARTHA E. COBLE-BEACH, TSgt, USAF
Court Administrator