

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Airman Basic JOSHUA M. BAVOL
United States Air Force

ACM S31454

30 September 2008

Sentence adjudged 31 January 2008 by SPCM convened at Langley Air Force Base, Virginia. Military Judge: Terry O'Brien (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 3 months, and forfeiture of \$893.00 pay per month for 3 months.

Appellate Counsel for the Appellant: Colonel Raymond J. Hardy, Jr. and Major Shannon A. Bennett.

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

Before

WISE, BRAND, and HELGET
Appellate Military Judges

PER CURIAM:

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).

* The Court notes that the Court-Martial Order (CMO), dated 3 March 2008, fails to list the plea and finding for the specification of Charge II. The Court orders the promulgation of a corrected CMO.

Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL



STEVEN LUCAS, YA-02, DAF
Clerk of the Court