

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class CHRISTOPHER J. BOARDMAN
United States Air Force**

ACM 36369

14 June 2006

Sentence adjudged 10 March 2005 by GCM convened at Seymour Johnson Air Force Base, North Carolina. Military Judge: Lance B. Sigmon.

Approved sentence: Bad-conduct discharge, confinement for 8 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, and Major N. Anniece Barber.

Appellate Counsel for the United States: Colonel Gary F. Spencer and Lieutenant Colonel Robert V. Combs.

Before

ORR, JOHNSON, and JACOBSON
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of error, and the government's reply thereto. The appellant contends the convening authority erred by incorrectly dating the initial promulgating order, but asserts no prejudice. The government concedes the error and urges administrative correction, rather than returning the case for a new action. We agree the promulgating order is incorrectly dated. A review of the post-trial matters indicates that the promulgating order should be dated 8 July 2005, the date the convening authority took action on the appellant's case. Preparation of a corrected court-martial order properly reflecting the correct date has been completed and is now included in the record. *See United States v. Smith*, 30 M.J. 1022, 1028 (A.F.C.M.R. 1990), *aff'd*, 33 M.J. 114 (C.M.A. 1991).

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 findings and sentence are

AFFIRMED.

OFFICIAL

LOUIS T. FUSS, TSgt, USAF
Chief Court Administrator