

**UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

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**UNITED STATES**

**v.**

**Airman First Class BJAY A. BORDEN  
United States Air Force**

**ACM S30363**

**12 February 2004**

Sentence adjudged 9 January 2003 by SPCM convened at Kadena Air Base, Japan. Military Judge: David F. Brash.

Approved sentence: Bad-conduct discharge, confinement for 45 days, and reduction to E-1.

Appellate Counsel for Appellant: Major Terry L. McElyea, Major Harold M. Vaught, and Captain David P. Bennett.

Appellate Counsel for the United States: Colonel LeEllen Coacher and Major John D. Douglas.

Before

STONE, MOODY, and JOHNSON-WRIGHT  
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). Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL

FELECIA M. BUTLER, TSgt, USAF  
Chief Court Administrator