

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class LUCAS W. BOYKEN
United States Air Force**

ACM S30087 (f rev)

20 October 2004

Sentence adjudged 26 October 2001 by SPCM convened at RAF Lakenheath, United Kingdom. Military Judge: Linda S. Murnane (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 4 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Terry L. McElyea, and Major Kyle R. Jacobson.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Robert V. Combs, Lieutenant Colonel Lance B. Sigmon, Lieutenant Colonel Jennifer R. Rider, and Spencer R. Fisher (legal intern).

Before

STONE, GENT, and SMITH
Appellate Military Judges

UPON FURTHER REVIEW

PER CURIAM:

This case is before us upon further review after this Court remanded the case to the convening authority for a corrected action and promulgating order. *United States v. Boyken*, ACM S30087 (A.F. Ct. Crim. App. 2 Apr 2004) (unpub. op.). We have received no filings by the parties within the established time limits set by the rules of this Court, and therefore, we have reviewed this case on its merits.

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.

Senior Judge STONE did not participate.

OFFICIAL

LAQUITTA J. SMITH
Documents Examiner