## UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

#### **UNITED STATES**

v.

# Airman First Class KELTON M. BRADSHAW United States Air Force

#### **ACM 38490**

### 24 March 2015

Sentence adjudged 29 August 2013 by GCM convened at Vance Air Force Base, Oklahoma. Military Judge: Bradley A. Cleveland (sitting alone).

Approved Sentence: Dishonorable discharge, confinement for 25 months, and reduction to E-1.

Appellate Counsel for the Appellant: Major Thomas A. Smith.

Appellate Counsel for the United States: Major Daniel J. Breen.

**Before** 

# MITCHELL, WEBER, and CONTOVEROS Appellate Military Judges

This opinion is issued as an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.

#### PER CURIAM:

The approved findings and sentence are correct in law and fact, and no error materially 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).

<sup>\*</sup> Attachment 8 to the stipulation of fact (prosecution exhibit 1) contains the name, date of birth, and other identifying information regarding one of the known victims depicted in the child pornography. This document should have been sealed but was not. Accordingly, the Clerk of the Court is directed to seal these pages in the original record of trial. The Government is directed to remove these pages from all other copies of the record of trial, as required by Air Force Manual 51-203, Records of Trial, ¶ 6.3.4 (27 June 2013). Also, 179 pages of skype chat logs were attached to the stipulation of fact with the vast majority of the pages being only minimally relevant. We encourage trial judges to exercise their authority pursuant to Mil. R. Evid. 403 to exclude evidence where the probative value is substantially outweighed by the waste of time and the needless presentation of cumulative evidence.

Accordingly, the approved findings and sentence are **AFFIRMED**.

FOR THE COURT

STEVEN LUCAS Clerk of the Court

2 ACM 38490