

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic DONALD E. BROWN JR.
United States Air Force**

ACM S30783 (f rev)

21 June 2007

Sentence adjudged 10 September 2004 by SPCM convened at Osan Air Base, Republic of Korea. Military Judge: Steven A. Hatfield (sitting alone).

Approved sentence: Bad-conduct discharge and confinement for 7 months.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, Lieutenant Colonel Andrew S. Williams, Major John N. Page III, and Captain Kimberly A. Quedensley.

Appellate Counsel for the United States: Colonel Gerald R. Bruce, Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, Major Michelle M. McCluer, and Major Nurit Anderson.

Before

FRANCIS, SOYBEL, and BRAND
Appellate Military Judges

UPON FURTHER REVIEW

PER CURIAM:

This case is before us on for further review the merits. In *United States v. Brown*, ACM S30783 (A.F. Ct. Crim. App. 19 Jul 2006) (unpub. op.), this Court found error and returned the case for new post-trial processing in accordance with Rule for Courts-Martial 1106. Subsequently, a new trial defense counsel was appointed to assist the appellant in submission of post-trial clemency matters. After due consideration of such matters, the convening authority approved only so much of the adjudged sentence as includes a bad-conduct discharge and confinement for 7 months.

Upon further review, the approved findings and sentence are correct in law and fact, and no additional 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

MARTHA E. COBLE-BEACH, TSgt, USAF
Court Administrator