

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic NICHOLAS S. BURBANK
United States Air Force**

ACM S30890

27 April 2006

Sentence adjudged 2 May 2005 by SPCM convened at Cannon Air Force Base, New Mexico. Military Judge: Barbara G. Brand (sitting alone).

Approved sentence: Bad-conduct discharge and confinement for 75 days.

Appellate Counsel for Appellant: Lieutenant Colonel Mark R. Strickland and Major Sandra K. Whittington.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer.

Before

ORR, JOHNSON, and JACOBSON
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

LOUIS T. FUSS, TSgt, USAF
Chief Court Commissioner