

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Airman Basic CHRISTOPHER M. COLGAN
United States Air Force

ACM S30698

27 December 2005

Sentence adjudged 30 July 2004 by SPCM convened at Lackland Air Force Base, Texas. Military Judge: Kurt D. Schuman (sitting alone).

Approved sentence: Bad-conduct discharge and confinement for 2 months.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Major Sandra K. Whittington, and Major John N. Page III.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer, Major John C. Johnson, and Major Tracey L. Printer.

Before

BROWN, MOODY, and FINCHER
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of error raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), and the government's reply thereto. We hold that the approved sentence is not inappropriately severe. *United States v. Healy*, 26 M.J. 394, 395 (C.M.A. 1988), *United States v. Lacy*, 50 M.J. 286 (C.A.A.F. 1999).

As a result of an administrative error, the appellant was held in confinement ten days too long. Accordingly, we order that the appellant receive an amount equal to ten days of pay at the grade of E-1 to compensate for the additional confinement he served. *See United States v. Sherman*, 56 M.J. 900 (A.F. Ct. Crim. App. 2002).

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 Administrator