

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

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UNITED STATES

v.

Senior Airman JASON M. CONLEY  
United States Air Force

ACM 36734

31 August 2007

Sentence adjudged 08 March 2006 by GCM convened at Robins Air Force Base, Georgia. Military Judge: Donald A. Plude (sitting alone).

Approved sentence: Bad-conduct discharge and confinement for 4 months.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, and Captain Griffin S. Dunham.

Appellate Counsel for the United States: Colonel Gerald R. Bruce and Major Matthew S. Ward.

Before

SCHOLZ, JACOBSON, and THOMPSON  
Appellate Military Judges

This opinion is subject to editorial correction before final release.

PER CURIAM:

We have examined the record of trial, the assignment of error, and the government's reply thereto. In accordance with his pleas, the military judge found the appellant guilty of one charge and two specifications of assault, in violation of Article 128, UCMJ, 10 U.S.C. § 928. The promulgating order, however, reflects the appellant plead not guilty to the charge.

The defense asserts that the promulgating order is in error and the government concedes. We agree that the promulgating order is incorrect. Preparation of a corrected order, properly reflecting the appellant's pleas is hereby directed. *See United States v. Smith*, 30 M.J. 1022, 1028 (A.F.C.M.R. 1990), *aff'd*, 33 M.J. 114 (C.M.A. 1991).

*Conclusion*

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.

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