

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

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UNITED STATES

v.

**Airman First Class MICHAEL J. COVELUSKY, JR.**  
**United States Air Force**

**ACM S31137 (f rev)**

**13 May 2008**

Sentence adjudged 08 June 2006 by SPCM convened at Andrews Air Force Base, Maryland. Military Judge: Christopher R. Santoro (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 4 months, forfeiture of \$500.00 pay per month for 4 months, and reduction to E-1.

Appellate Counsel for the Appellant: Lieutenant Colonel Mark R. Strickland, Captain Timothy L. Cox, and Captain Christopher L. Ferretti.

Appellate Counsel for the United States: Colonel Gerald R. Bruce, Major Matthew S. Ward, Major Amy E. Hutchens, and Captain Jefferson E. McBride.

Before

FRANCIS, SOYBEL, and BRAND  
Appellate Military Judges

This opinion is subject to editorial correction before final release.

PER CURIAM:

This case is being considered on further review. On 22 August 2007, we returned this case to the Judge Advocate General for remand to the convening authority to withdraw the erroneous action that was taken when an inaccurate Personal Data Sheet was inadvertently given to the convening authority for his consideration. That error was corrected and a new action and promulgating order were issued. The convening authority approved the sentence as adjudged. The case has been returned to this Court and we now consider it pursuant to Article 66 UCMJ, 10 U.S.C. §866.

The appellant was convicted, in accordance with his pleas, of one specification each of conspiracy to commit larceny and larceny, in violation of Articles 81 and 121 UCMJ, 10 U.S.C. §§ 881 and 921. His approved sentence consists of a bad-conduct discharge, confinement for 4 months, reduction to the grade of E-1, and forfeitures of \$500.00 pay per month for four months.

*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; *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL



STEVEN LUCAS, GS-11, DAF  
Clerk of the Court