

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Airman First Class THOMAS J. CRENSHAW
United States Air Force

ACM S31407

12 December 2008

Sentence adjudged 19 October 2007 by SPCM convened at RAF Mildenhall, United Kingdom. Military Judge: Jennifer L. Cline (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 3 months, and reduction to E-1.

Appellate Counsel for the Appellant: Lieutenant Colonel Mark R. Strickland, Major Shannon A. Bennett, and Dwight H. Sullivan, Esquire.

Appellate Counsel for the United States: Colonel Gerald R. Bruce, Major Donna S. Rueppell, and Captain G. Matt Osborn.

Before

BRAND, FRANCIS, and JACKSON
Appellate Military Judges

This opinion is subject to editorial correction before final release.

PER CURIAM:

In accordance with his pleas, the appellant was convicted of one specification of making a false official statement and one specification of larceny, in violation of Articles 107 and 121, UCMJ, 10 U.S.C. §§ 907, 921. The approved sentence consists of a bad-conduct discharge, confinement for three months, and reduction to E-1.

The issue on appeal is whether the appellant is entitled to a corrected Court-Martial Promulgating Order (CMO). The government concedes this error.

Discussion

We agree that the CMO is incorrect. Preparation of a corrected CMO, properly reflecting that the ending date in the Specification of Charge II was "26 April 2007" and that the convening authority was "Colonel Scott A. Brumbaugh" is hereby directed. *See United States v. Smith*, 30 M.J. 1022, 1028 (A.F.C.M.R. 1990).

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.

OFFICIAL



STEVEN LUCAS, YA-02, DAF
Clerk of the Court