

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Staff Sergeant ERIKA R. CURIEL
United States Air Force

ACM S30836 (f rev)

12 December 2006

Sentence adjudged 2 February 2005 by SPCM convened at Vandenberg Air Force Base, California. Military Judge: Nancy J. Paul (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 185 days, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, and Captain Anthony D. Ortiz.

Appellate Counsel for the United States: Colonel Gerald R. Bruce, Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, and Major Michelle M. McCluer.

Before

BROWN, SCHOLZ, and BECHTOLD
Appellate Military Judges

UPON FURTHER REVIEW

PER CURIAM:

This case is once again before our Court for further review after the original action was set aside. *United States v. Curiel*, ACM S30836 (A.F. Ct. Crim. App. 29 Jun 2006) (unpub. op.). This Court returned the case to The Judge Advocate General for remand to the convening authority for a new action upon consideration of the clemency matters previously submitted by the appellant pursuant to Rule for Courts-Martial 1105. On 13 October 2006, the convening authority completed a new action in compliance with our holding. This case came before this Court for further review with no additional assignments of error.

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