

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class WILLIE G. DAVIS
United States Air Force**

ACM S30546

22 November 2005

Sentence adjudged 16 October 2003 by SPCM convened at Grand Forks Air Force Base, North Dakota. Military Judge: Steven B. Thompson (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 6 months, forfeiture of \$750.00 pay per month for 6 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Major Terry L. McElyea, Major Jennifer K. Martwick, and Captain David P. Bennett.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Colonel Alisa W. James, Lieutenant Colonel Gary F. Spencer, and Lieutenant Colonel Robert V. Combs.

Before

BROWN, MOODY, FINCHER
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of error,¹ and the government's answer. The appellant contends the evidence is factually and legally insufficient to sustain his conviction for these offenses. We disagree and affirm.

After carefully weighing the evidence in the entire record of trial, we are convinced of the appellant's guilt beyond a reasonable doubt. *See United States v. Turner*, 25 M.J. 324 (C.M.A. 1987). We likewise find the evidence legally sufficient to support conviction. Considering the evidence in the light most favorable to the

¹ Raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982).

prosecution, we hold a reasonable factfinder could have found all of the essential elements of the offenses beyond a reasonable doubt. *Id.* at 324 (citing *Jackson v. Virginia*, 443 U.S. 307, 319 (1979)). We reach this conclusion drawing every reasonable inference from the evidence in favor of the prosecution. *See United States v. Davis*, 56 M.J. 299, 300 (C.A.A.F. 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 findings and sentence are

AFFIRMED.

OFFICIAL

ANGELA M. BRICE
Clerk of Court