

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic CHRISTOPHER D. DEISHER
United States Air Force**

ACM 35143 (f rev)

16 October 2006

Sentence adjudged 19 January 2006 by GCM convened at Peterson Air Force Base, Colorado. Military Judge: Steven A. Hatfield and Eric L. Dillow.

Approved sentence: Bad-conduct discharge and confinement for 6 months.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Colonel Carlos L. McDade, Lieutenant Colonel Andrew S. Williams, Major Terry L. McElyea, Major Jefferson B. Brown, Major N. Anniece Barber, and Major Maria A. Fried.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Colonel Gerald R. Bruce, Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, Lieutenant Colonel Jennifer R. Rider, Major James K. Floyd, Major Steven R. Kaufman, and Major Lane A. Thurgood.

Before

ORR, MATHEWS, and THOMPSON
Appellate Military Judges

UPON FURTHER REVIEW

PER CURIAM:

This case is before us on its merits for further review. The Court of Appeals for the Armed Forces set aside the appellant's conviction on Additional Charge I and its sole Specification, affirmed the remainder of the findings, and returned the case for a rehearing on the affected specification and the sentence. *United States v. Deisher*, 61 M.J. 313 (C.A.A.F. 2005). On remand, the convening authority dismissed Additional Charge I and its Specification and ordered a rehearing on sentence only.

The remaining findings and the sentence upon rehearing 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 remaining findings and the sentence upon rehearing are

AFFIRMED.

OFFICIAL

JEFFREY L. NESTER
Clerk of Court