

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Staff Sergeant RONALD A. DOBEK
United States Air Force

ACM 35522

31 March 2005

Sentence adjudged 18 February 2003 by GCM convened at Sheppard Air Force Base, Texas. Military Judge: Kurt D. Schuman (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 18 months, a fine of \$8,500.00, with additional confinement for 6 months if the fine is not paid, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Terry L. McElyea, and Major L. Martin Powell.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Robert V. Combs, and Captain C. Taylor Smith.

Before

PRATT, MALLOY, and MOODY
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of error submitted pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), and the government's reply thereto. At trial, the appellant pled guilty to five offenses, but not guilty to two other offenses alleging larceny of a government computer and a false official statement. The military judge found him guilty of all seven offenses. On appeal, the appellant challenges the factual sufficiency of his conviction for the two specifications to which he pled not guilty. After weighing the evidence in the record of trial and making allowances for not having personally observed the witnesses, we are convinced beyond a reasonable doubt of the appellant's guilt of the litigated offenses. *United States v. Turner*, 25 M.J. 324, 325 (C.M.A. 1987).

Accordingly, we hold that all of the approved findings and the 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). On the basis of the entire record, the approved findings and sentence are

AFFIRMED.

OFFICIAL

ANGELA M. BRICE
Clerk of Court