

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class RAYMOND P. DUNHAM
United States Air Force**

ACM 34834 (f rev)

25 May 2006

Sentence adjudged 20 June 2005 by GCM convened at Tinker Air Force Base, Oklahoma. Military Judge: Barbara G. Brand (sitting alone).

Approved sentence: Bad-conduct discharge and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Colonel Carlos L. McDade, Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, Major Terry L. McElyea, Major Jefferson B. Brown, Major Antony B. Kolenc, Major James M. Winner, Major Karen L. Hecker, Captain John S. Fredland, and William E. Cassara, Esq.

Appellate Counsel for the United States: Colonel Anthony P. Dattilo, Colonel LeEllen Coacher, Colonel Gary F. Spencer, Lieutenant Colonel Lance B. Sigmon, Lieutenant Colonel Robert V. Combs, Major Steven R. Kaufman, and Major C. Taylor Smith.

Before

STONE, SMITH, and MATHEWS
Appellate Military Judges

UPON FURTHER REVIEW

PER CURIAM:

We have reviewed the record of trial, the assignment of error, and the government's answer thereto. The appellant asserts that the portion of his sentence involving a bad-conduct discharge is inappropriately severe.

We "may affirm only such findings of guilty and the sentence or such part or amount of the sentence, as [we find] correct in law and fact and determine[], on the basis of the entire record, should be approved." Article 66(c), UCMJ, 10 U.S.C. § 866(c). We

assess sentence appropriateness by considering the particular appellant, the nature and seriousness of the offense, the appellant's record of service, and all matters contained in the record of trial. *United States v. Healy*, 26 M.J. 394 (C.M.A. 1988); *United States v. Snelling*, 14 M.J. 267, 268 (C.M.A. 1982).

After a careful review of the record of trial, to include the appellant's post-trial submissions, we conclude the appellant's sentence of a bad-conduct discharge is not inappropriately severe. Despite his solid duty performance (to include three overseas deployments), the appellant's efforts to obstruct an investigation into his possession and receipt of significant quantities of child pornography and obscene materials carries considerable weight.

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; *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the findings and sentence are

AFFIRMED.

OFFICIAL

LOUIS T. FUSS, TSgt, USAF
Chief Court Administrator