

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Senior Airman ANDREW L. FAIRCHILD
United States Air Force**

ACM 38812

6 January 2016

Sentence adjudged 11 February 2015 by GCM convened at MacDill Air Force Base, Florida. Military Judge: Matthew S. Ward (sitting alone).

Approved Sentence: Bad-conduct discharge, confinement for 13 months, forfeiture of all pay and allowances, and reduction to E-1.

Appellate Counsel for the Appellant: Lieutenant Colonel Joy L. Primoli.

Appellate Counsel for the United States: Gerald R. Bruce, Esquire.

Before

**ALLRED, MITCHELL, and MAYBERRY
Appellate Military Judges**

This opinion is issued as an unpublished opinion and, as such, does not serve as precedent under Rule of Practice and Procedure 18.4.

PER CURIAM:

The approved findings and sentence are correct in law and fact, and no error materially 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).

* The court-martial order (CMO), dated 1 May 2015, does not correctly reflect the pen and ink changes to Specification 1 of Charge II, and to the Specification of Charge III, which were both changed from “at or near Incirlik AB, TU” to “at or near Bodrum, TU.” The court orders the promulgation of a corrected CMO. Additionally, the court notes that both the staff judge advocate’s recommendation (SJAR), dated 20 Mar 2015, and SJAR Addendum, dated 28 Apr 2015, do not include Attachment 3, the pretrial agreement (it is included in the Record of Trial as Appellate Exhibits II and III). The SJAR also indicates the victim did not provide an impact statement, which is inconsistent with the election noted on the first endorsement of the Submission of Matters letter signed by the victim’s mother on 11 February 2015. These clerical errors do not require the SJAR or Addendum to be re-accomplished.

Accordingly, the approved findings and sentence are

AFFIRMED.



FOR THE COURT

A handwritten signature in cursive script, appearing to read "L M Calahan".

LEAH M. CALAHAN

Clerk of the Court