

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Senior Airman JASON A. FLEMING
United States Air Force**

ACM 34997

21 November 2003

Sentence adjudged 26 November 2001 by GCM convened at Kunsan Air Base, Republic of Korea. Military Judge: David F. Brash (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 15 months, forfeiture of \$950.00 pay per month for 20 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Lieutenant Colonel Brandon A. Burnett, Major Terry L. McElyea, and Major Jefferson B. Brown.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Lance B. Sigmon, and Captain Nurit Anderson.

Before

PRATT, MALLOY, and GRANT
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of errors raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), and the government's reply thereto. We conclude the findings and sentence are correct in law and fact, and no error prejudicial to the substantial rights of the appellant was committed. 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 sentence adjudged and approved is not inappropriately severe. *United States v. Healey*, 26 M.J. 394, 395 (C.M.A. 1988). *See also United States v. Snelling*, 14 M.J. 267, 268 (C.M.A. 1982).

On the basis of the entire record, the approved findings and sentence are

AFFIRMED.

OFFICIAL

HEATHER D. LABE
Clerk of Court