

**UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

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**UNITED STATES**

**v.**

**Airman First Class JUSTIN A. FLUELLEN  
United States Air Force**

**ACM 35810**

**14 January 2005**

Sentence adjudged 3 December 2003 by GCM convened at Cannon Air Force Base, New Mexico. Military Judge: Barbara E. Shestko (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 9 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Major Terry L. McElyea, Major Andrea M. Gormel, Major Sandra K. Whittington, and Captain Diane M. Paskey.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer.

Before

**STONE, GENT, and SMITH**  
Appellate Military Judges

PER CURIAM:

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, 10 U.S.C. § 866(c); *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the approved findings and sentence are

**AFFIRMED.**

OFFICIAL

ANGELA M. BRICE  
Clerk of Court