

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

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**UNITED STATES**

**v.**

**Airman First Class BRETT A. FONTAINE  
United States Air Force**

**ACM 35903**

**30 November 2004**

Sentence adjudged 19 February 2004 by GCM convened at Holloman Air Force Base, New Mexico. Military Judge: Barbara E. Shestko (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 4 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Major Terry L. McElyea, and Captain L. Martin Powell.

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

Before

**PRATT, ORR, and MOODY  
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