

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

No. ACM S32503

UNITED STATES

Appellee

v.

Robert J. FORD

Airman First Class (E-3), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 30 July 2018

Military Judge: Donald R. Eller, Jr. (arraignment); Vance H. Spath.

Approved sentence: Bad-conduct discharge, confinement for 120 days, forfeiture of \$950.00 pay per month for 6 months, and reduction to E-1. Sentence adjudged 5 December 2017 by SpCM convened at Scott Air Force Base, Illinois.

For Appellant: Captain Meghan R. Glines-Barney, USAF.

For Appellee: Lieutenant Colonel Joseph J. Kubler, USAF; Mary Ellen Payne, Esquire.

Before JOHNSON, DENNIS, and LEWIS, *Appellate Military Judges*.

**This is an unpublished opinion and, as such, does not serve as
precedent under AFCCA 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 Appellant's substantial rights occurred. Articles

59(a) and 66(c), Uniform Code of Military Justice, 10 U.S.C. §§ 859(a), 866(c). Accordingly, the approved findings and sentence are **AFFIRMED**.*



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court

* Although Appellant raises no specific assignment of error, we note the staff judge advocate recommendation erroneously advised the convening authority that the maximum sentence that could be imposed by this special court-martial included, *inter alia*, a fine in addition to forfeiture of two-thirds pay per month for 12 months. See Rule for Courts-Martial (R.C.M.) 201(f)(2)(B)(i); R.C.M. 1003(b)(3); *United States v. Books*, No. ACM S32369, 2017 CCA LEXIS 226 at *7 (A.F. Ct. Crim. App. 31 Mar. 2017 (unpub. op.)). However, under the facts of this case we find no colorable showing of possible prejudice and, therefore, we affirm. See *United States v. Scalzo*, 60 M.J. 435, 436–37 (C.A.A.F. 2005).