

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic TIMOTHY J. FOX
United States Air Force**

ACM S31617

29 September 2009

Sentence adjudged 14 January 2009 by SPCM convened at Whiteman Air Force Base, Missouri. Military Judge: Dawn R. Eflein.

Approved sentence: Bad-conduct discharge, confinement for 45 days, and forfeiture of \$932.00 pay per month for 2 months.

Appellate Counsel for the Appellant: Major Shannon A. Bennett, Major Tiffany M. Wagner, and Captain Michael S. Kerr.

Appellate Counsel for the United States: Colonel Douglas P. Cordova.

Before

**BRAND, HELGET, and GREGORY
Appellate Military Judges**

This opinion is subject to editorial correction before final release.

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



A handwritten signature in blue ink, appearing to read "S. Lucas", is written over the seal.

STEVEN LUCAS, YA-02, DAF
Clerk of the Court