

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

---

---

**UNITED STATES**

**v.**

**Senior Airman MILTON GAETAN  
United States Air Force**

**ACM 35817**

**31 August 2005**

Sentence adjudged 12 November 2003 by GCM convened at RAF Mildenhall, United Kingdom. Military Judge: William M. Burd. (sitting alone).

Approved sentence: Dishonorable discharge, confinement for 6 years, and reduction to E-1.

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

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, and Lieutenant Colonel William B. Smith.

Before

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

**PER CURIAM:**

On appeal the appellant argues his sentence is inappropriately severe and asks this Court to reduce his confinement to three years. We disagree and affirm. In order to determine the appropriateness of the sentence, we must consider the particular appellant, the nature and seriousness of the offenses, the appellant's record of service, and all matters contained in the record of trial. *United States v. Snelling*, 14 M.J. 267 (C.M.A. 1982). Having considered all the circumstances of appellant's offenses in light of his military record and the matters contained in the record of trial, we find the sentence to be appropriate. *United States v. Healy*, 26 M.J. 394 (C.M.A. 1988).

The approved findings and sentence are correct in law and fact, and no error prejudicial to the appellant's substantial rights 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