

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class MICHAEL J. GARDNER
United States Air Force**

ACM S31016

15 June 2006

Sentence adjudged 18 October 2005 by SPCM convened at McConnell Air Force Base, Kansas. Military Judge: Joseph E. Cole (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 5 months, and reduction to E-1.

Appellate Counsel for Appellant: Major David P. Bennett.

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

Before

ORR, JOHNSON, and JACOBSON
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

THOMAS T. CRADDOCK, SSgt, USAF
Court Administrator