

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

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**UNITED STATES**

**v.**

**Senior Airman TIMOTHY M. GARNER  
United States Air Force**

**ACM S30864**

**31 March 2006**

Sentence adjudged 23 February 2005 by SPCM convened at Aviano Air Base, Italy. Military Judge: William M. Burd (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 75 days, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Lieutenant Colonel Mark R. Strickland, Major Maria A. Fried, Captain Christopher S. Morgan, and Captain John S. Fredland.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer and Lieutenant Colonel Robert V. Combs.

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

ANGELA M. BRICE  
Clerk of Court