

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Technical Sergeant ANTHONY HENDERSON
United States Air Force**

ACM 35395

24 November 2004

Sentence adjudged 24 September 2002 by GCM convened at RAF Lakenheath, United Kingdom. Military Judge: Thomas W. Pittman (sitting alone).

Approved sentence: Dishonorable discharge, confinement for 3 years, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Andrew S. Williams, and Captain L. Martin Powell.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Major Shannon J. Kennedy, and Major Kevin P. Stiens.

Before

STONE, GENT, and SMITH
Appellate Military Judges

PER CURIAM:

The appellant was convicted, pursuant to his pleas, of three specifications of indecent acts on a female under the age of 16, in violation of Article 134, UCMJ, 10 U.S.C. § 934. The adjudged and approved sentence consisted of a dishonorable discharge, confinement for 3 years, and reduction to the grade of E-1. Pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), the appellant asserts that his sentence is inappropriately severe. We disagree and affirm.

This Court “may affirm only such findings of guilty and the sentence or such part or amount of the sentence, as it finds correct in law and fact and determines, on the basis of the entire record, should be approved.” Article 66(c), UCMJ, 10 U.S.C. § 866(c). We

assess sentence appropriateness by considering the particular appellant, the nature and seriousness of the offense, the appellant's record of service, and all matters contained in the record of trial. *United States v. Healy*, 26 M.J. 394 (C.M.A. 1988); *United States v. Snelling*, 14 M.J. 267 (C.M.A. 1982). After a careful review of the record of trial, we conclude the appellant's sentence is not inappropriately severe.

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; *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