

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman DAVID R. HERNANDEZ
United States Air Force**

ACM 36171

27 December 2005

Sentence adjudged 21 October 2004 by GCM convened at Barksdale Air Force Base, Louisiana. Military Judge: James L. Flanary (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 20 months, forfeiture of all pay and allowances, and reduction to E-1.

Appellate Counsel for Appellant: Lieutenant Colonel Mark R. Strickland and Major John N. Page III.

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

Before

**BROWN, MOODY, and FINCHER
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

**LAQUITTA J. SMITH
Documents Examiner**