

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

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UNITED STATES

v.

**Staff Sergeant OMORO HERRING**  
**United States Air Force**

**ACM S31246 (f rev)**

**26 September 2008**

Sentence adjudged 08 December 2006 by SPCM convened at Robins Air Force Base, Georgia. Military Judge: Jennifer A. Whittier (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 8 months, and reduction to E-1.

Appellate Counsel for the Appellant: Lieutenant Colonel Mark R. Strickland, Major Shannon A. Bennett, Major Christopher L. Ferretti, Captain Chadwick Conn, and Captain Phillip T. Korman.

Appellate Counsel for the United States: Colonel Gerald R. Bruce, Major Matthew S. Ward, Major Donna S. Rueppell, and Captain Jason M. Kellhofer.

Before

FRANCIS, HEIMANN, and THOMPSON  
Appellate Military Judges

UPON FURTHER REVIEW

This opinion is subject to editorial correction before final release.

PER CURIAM:

This case is before us on its merits for further review. In *United States v. Herring*, ACM S31246 (A.F. Ct. Crim. App. 31 Mar 2008) (unpub. op.), this Court set aside the action and returned the record of trial to The Judge Advocate General for remand to the convening authority for additional post-trial processing. On 2 July 2008, the convening authority complied with our decision.

Upon further review, 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



STEVEN LUCAS, YA-02, DAF  
Clerk of the Court