

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Technical Sergeant WILLIAM L. HIGDON II
United States Air Force

ACM S31869

01 September 2011

Sentence adjudged 13 August 2010 by SPCM convened at Vandenberg Air Force Base, California. Military Judge: W. Shane Cohen (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 24 days, and reduction to E-3.

Appellate Counsel for the Appellant: Lieutenant Colonel Gail E. Crawford and Major Nicholas W. McCue.

Appellate Counsel for the United States: Colonel Don M. Christensen and Mr. Gerald R. Bruce, Esquire.

Before

GREGORY, WEISS, and SARAGOSA
Appellate Military Judges

This opinion is subject to editorial correction before final release.

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).

* The Court notes that the Court-Martial Order (CMO), dated 13 October 2010, incorrectly lists the renumbered Charge II as a violation of Article 86, UCMJ, 10 U.S.C. § 886. In accordance with the language of the original charge and appellant's pleas, the military judge found him guilty of a violation of Article 112a, UCMJ, 10 U.S.C. § 912a. The Court orders the promulgation of a corrected CMO.

Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL



A handwritten signature in blue ink, appearing to read "S. Lucas", is written over a faint horizontal line.

STEVEN LUCAS
Clerk of the Court