

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Captain JOEY T. HILL
United States Air Force

ACM 38178

1 March 2013

Sentence adjudged 17 May 2012 by GCM convened at Ramstein Air Base, Germany. Military Judge: Michael J. Coco (sitting alone).

Approved sentence: Dismissal.

Appellate Counsel for the Appellant: Captain Travis K. Ausland.

Appellate Counsel for the United States: Colonel Don M. Christensen.

Before

STONE, ROAN, and HECKER
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).

^{*} We note the court-martial (CMO) erroneously reflects that the military judge entered a finding of “not guilty” to the excepted language in Charge I, Specification 2, and Charge III, Specifications 1 and 2, when in fact, the excepted language of these Charges and Specifications was withdrawn and dismissed with prejudice by the Government after arraignment. Further, the CMO reflects that Charge III was “renumbered as Charged II,” but it has not been reflected as such on the original charge sheet. We order the promulgation of a corrected CMO.

Accordingly, the approved findings and sentence are

AFFIRMED.



FOR THE COURT

A handwritten signature in black ink, appearing to read "Laquitta J. Smith". The signature is written in a cursive, flowing style.

LAQUITTA J. SMITH
Appellate Paralegal Specialist