

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic ANDREW J. KONKOWSKI
United States Air Force**

ACM 37543

14 October 2010

Sentence adjudged 09 July 2009 by GCM convened at Langley Air Force Base, Virginia. Military Judge: Katherine Oler (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 14 months, and forfeiture of all pay and allowances.

Appellate Counsel for the Appellant: Lieutenant Colonel Gail E. Crawford, Major Shannon A. Bennett, Major Marla J. Gillman, Major Darrin K. Johns, Major Grover H. Baxley, and Major David P. Bennett.

Appellate Counsel for the United States: Colonel Don M. Christensen, Lieutenant Colonel Jeremy S. Weber, and Gerald R. Bruce, Esquire.

Before

**BRAND, ORR, and WEISS
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 28 August 2009, fails to list the plea and finding of Specification 2 of Charge III (Drunk and Disorderly). The CMO should be corrected to reflect the appellant's plea and finding of Guilty to Specification 2 of Charge III. 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, light-colored rectangular stamp area.

STEVEN LUCAS
Clerk of the Court