

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Senior Airman JIM KOVACS
United States Air Force**

ACM S30365

29 March 2005

Sentence adjudged 25 January 2003 by SPCM convened at Davis-Monthan Air Force Base, Arizona. Military Judge: Jack L. Anderson.

Approved sentence: Bad-conduct discharge and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Terry L. McElyea, and Major Sandra K. Whittington.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Robert V. Combs, and Major Brett D. Burton.

Before

PRATT, ORR, and MOODY
Appellate Military Judges

PER CURIAM:

We have reviewed the record of trial, the appellant's assignment of error, and the government's response thereto. The appellant asserts his sentence is inappropriately severe. Article 66(c), UCMJ, 10 U.S.C. § 866(c). Having considered this particular appellant and his record of service, the nature and seriousness of the offense he committed, and all matters contained in the record of trial, we disagree and affirm. *United States v. Healy*, 26 M.J. 394 (C.M.A. 1988); *United States v. Snelling*, 14 M.J. 267 (C.M.A. 1982).

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; *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the findings and sentence are

AFFIRMED.

OFFICIAL

FELECIA M. BUTLER, TSgt, USAF
Chief Court Administrator