

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Senior Airman RANDY S. LUBICH
United States Air Force**

ACM 36439

8 September 2006

Sentence adjudged 8 June 2005 by GCM convened at Pope Air Force Base, North Carolina. Military Judge: Kevin P. Koehler.

Approved sentence: Bad-conduct discharge, confinement for 9 months, forfeiture of all pay and allowances, and reduction to E-1.

Appellate Counsel for Appellant: Lieutenant Colonel Mark R. Strickland, Major N. Anniece Barber, and Major Maria A. Fried.

Appellate Counsel for the United States: Colonel Gerald R. Bruce and Colonel Gary F. Spencer.

Before

**ORR, MATHEWS, and THOMPSON
Appellate Military Judges**

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). Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL

**LOUIS T. FUSS, TSgt, USAF
Chief Court Administrator**