

**UNITED STATES AIR FORCE
COURT OF CRIMINAL APPEALS**

No. ACM S32442

UNITED STATES
Appellee

v.

Stephen R. MASHBURN, Jr.
Airman Basic (E-1), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 25 August 2017

Military Judge: Brian D. Teter.

Approved sentence: Bad-conduct discharge, confinement for 5 months, and forfeiture of \$1044.00 pay per month for 5 months. Sentence adjudged 21 October 2016 by SpCM convened at Whiteman Air Force Base, Missouri.

For Appellant: Lieutenant Colonel R. Davis Younts, USAF; Captain Patrick A. Clary, USAF.

For Appellee: Major Mary Ellen Payne, USAF.

Before DREW, MAYBERRY and DENNIS, *Appellate Military Judges*.

This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.

PER CURIAM:

The approved findings and sentence are correct in law and fact, and no error materially prejudicial to Appellant's substantial rights occurred. Articles 59(a) and 66(c), UCMJ, 10 U.S.C. §§ 859(a), 866(c).

Accordingly, the approved findings and sentence are **AFFIRMED**.¹



FOR THE COURT

A handwritten signature in black ink, appearing to read "Kurt J. Brubaker".

KURT J. BRUBAKER
Clerk of the Court

¹ We note the Court-Martial Order (CMO) does not contain a plea or finding for Specification 5 of the Charge. We order promulgation of a corrected CMO.