

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Airman JEFFREY G. MCCARTY
United States Air Force

ACM S31759

15 April 2010

Sentence adjudged 25 August 2009 by SPCM convened at Joint Base Balad, Iraq. Military Judge: Dawn R. Eflein (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 3 months, forfeiture of \$900.00 pay per month for 3 months, and reduction to E-1.

Appellate Counsel for the Appellant: Colonel Raymond J. Hardy, Jr., Major Shannon A. Bennett, and Captain Reggie D. Yager.

Appellate Counsel for the United States: Colonel Douglas P. Cordova.

Before

BRAND, JACKSON, and THOMPSON
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 the heading of the Court-Martial Order (CMO), dated 30 November 2009, incorrectly lists the appellant's rank as Airman Basic rather than Airman. Further, the heading identifies Headquarters 332D Air Expeditionary Wing as part of USAFCENT while other paperwork in the record of trial identifies it as part of ACC. Ensure the heading properly identifies the correct Major Command. 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 the seal and extends to the right.

STEVEN LUCAS, YA-02, DAF
Clerk of the Court