

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class SAMUEL MEDINA, JR.
United States Air Force**

ACM 37803

03 August 2011

Sentence adjudged 3 November 2010 by GCM convened at Cannon Air Force Base, New Mexico. Military Judge: W. Shane Cohen (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 75 days, hard labor without confinement for 45 days, restriction for 60 days, reduction to E-1, and a reprimand.

Appellate Counsel for the Appellant: Lieutenant Colonel Darrin K. Johns and Captain Thomas C. Franzinger.

Appellate Counsel for the United States: Colonel Don M. Christensen.

Before

BRAND, GREGORY, and ROAN
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 9 December 2010, incorrectly lists Charge II as a violation of Article 134, UCMJ, 10 U.S.C. § 934. In accordance with the charge and appellant's pleas, the military judge found him guilty of a violation of Article 92, UCMJ, 10 U.S.C. § 892. 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 horizontal line.

STEVEN LUCAS
Clerk of the Court