

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic RYAN M. METZ
United States Air Force**

ACM 35915

27 December 2005

Sentence adjudged 12 February 2004 by GCM convened at Spangdahlem Air Base, Germany. Military Judge: William M. Burd (sitting alone).

Approved sentence: Dishonorable discharge and confinement for 42 months.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Major Sandra K. Whittington, and Major L. Martin Powell.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer, Major John C. Johnson, and Jesse Coleman (legal intern).

Before

BROWN, MOODY, and FINCHER
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of error raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), and the government's reply thereto. We hold that the appellant was not denied effective assistance of counsel. *Strickland v. Washington*, 466 U.S. 668 (1984); *United States v. Gilley*, 56 M.J. 113 (C.A.A.F. 2001).

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