

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

No. ACM S32396 (f rev)

UNITED STATES

Appellee

v.

Rashaad D. MICKENS

Airman Basic (E-1), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 21 September 2017

Military Judge: James R. Dorman.

Approved sentence: Bad-conduct discharge, confinement for 3 months, and a reprimand. Sentence adjudged 2 March 2016 by SpCM convened at Offutt Air Force Base, Nebraska.

For Appellant: Major Travis L. Vaughan, USAF.

Before DREW, JOHNSON, and MINK, *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This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.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:

We have this case for further review because the staff judge advocate originally erred in advising the convening authority that he could not disapprove the confinement portion of Appellant's sentence, in whole or in part. *See United States v. Mickens*, No. ACM S32396, 2017 CCA LEXIS 336 (A.F. Ct. Crim. App. 18 May 2017) (unpub. op.). Having resolved that issue, we find 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), Uniform Code of Military Justice, 10 U.S.C. §§ 859(a), 866(c).

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



FOR THE COURT

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

KURT J. BRUBAKER
Clerk of the Court