

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Cadet ANDREW J. MIKUSZEWSKI
United States Air Force

ACM 35830

25 October 2004

Sentence adjudged 15 October 2003 by GCM convened at United States Air Force Academy, Colorado. Military Judge: Kurt D. Schuman (sitting alone).

Approved sentence: Dismissal and confinement for 8 months.

Appellate Counsel for Appellant: Lieutenant Colonel Carlos L. McDade, Major Harold M. Vaught, and Captain David P. Bennett.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer.

Before

PRATT, ORR, and MOODY
Appellate Military Judges

PER CURIAM:

The approved findings and sentence are correct in law and fact, and no error prejudicial to the substantial rights of the appellant occurred¹. Article 66(c), UCMJ, 10 U.S.C. § 866(c);

¹ On pages 1 and 2 of the Record of Trial, references are made to Special Order AB-8, dated 10 October 2003, as being the convening order. In fact, the actual order is Special Order AB-1, dated 10 October 2003, as properly reflected in the referral section of the Charge Sheet (Department of Defense Form 458) and properly included at page 1.1 of the Record of Trial. The erroneous references to "AB-8" appear to be mere transcription errors which do not undermine the proper referral of these charges.

United States v. Reed, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the approved findings and sentence are

AFFIRMED.

Judge MOODY did not participate.

OFFICIAL

ANGELA M. BRICE
Clerk of Court