

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Airman First Class JEREL E. MITCHELL
United States Air Force

ACM S31465

22 October 2008

Sentence adjudged 25 January 2008 by SPCM convened at Aviano Air Base, Italy. Military Judge: Jennifer L. Cline (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 9 months, and reduction to E-1.

Appellate Counsel for the Appellant: Colonel Raymond J. Hardy Jr., Major Shannon A. Bennett, and Captain Lance J. Wood.

Appellate Counsel for the United States: Colonel Gerald R. Bruce.

Before

FRANCIS, HEIMANN, and THOMPSON
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 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 Court-Martial Order (CMO), dated 31 March 2008, inadvertently uses the date 1 October 2007 instead of 1 October 2006 in Specification 1 of the Charge, which is incorrectly designated as "Charge I." Review of the entire record clearly indicates the appellant was charged and found guilty of wrongful use of marijuana on divers occasions between on or about 1 October 2006 and on or about 2 May 2007. The Court orders the promulgation of a corrected CMO.

Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL



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