

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic NICHOLAS J. MOYER
United States Air Force**

ACM 35775

23 March 2004

Sentence adjudged 22 October 2003 by GCM convened at McConnell Air Force Base, Kansas. Military Judge: Barbara G. Brand (sitting alone).

Approved sentence: Bad-conduct discharge and confinement for 171 days.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Terry L. McElyea, and Captain James M. Winner.

Appellate Counsel for the United States: Colonel LeEllen Coacher.

Before

PRATT, MALLOY, and GRANT
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). Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL

LAQUITTA J. SMITH
Documents Examiner