

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Technical Sergeant CLIFFORD D. MULLINS
United States Air Force

ACM 35489

11 January 2005

Sentence adjudged 8 November 2002 by GCM convened at Patrick Air Force Base, Florida. Military Judge: Sharon A. Shaffer (sitting alone).

Approved sentence: Confinement for 16 months and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Terry L. McElyea, and Captain Jennifer K. Martwick.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Robert V. Combs, and Major Kevin P. Stiens.

Before

PRATT, ORR, and MOODY
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of error, and the government's reply thereto. We conclude that the appellant provided facts that objectively supported a plea of guilty to knowing and wrongful possession of visual images of children engaging in sexually explicit conduct, in violation of clauses 1 and 2 of Article 134, UCMJ, 10 U.S.C. § 934. *See United States v. Mason*, 60 M.J. 15, 19-20 (C.A.A.F. 2004); *United States v. Irvin*, 60 M.J. 23, 25-26 (C.A.A.F. 2004); *United States v. Anderson*, 60 M.J. 548 (A.F. Ct. Crim. App. 2004), *pet. denied*, No. 04-0670/AF (22 Nov 2004). As a consequence, we find no "substantial basis" in law and fact for questioning the guilty plea." *United States v. Milton*, 46 M.J. 317, 318 (C.A.A.F. 1997) (quoting *United States v. Prater*, 32 M.J. 433, 436 (C.M.A. 1991)). Accordingly, we hold that the military judge did not abuse her discretion by accepting the guilty plea. *See United States v. Eberle*, 44 M.J. 374 (C.A.A.F. 1996).

The approved findings and sentence are correct in law and fact, and no error prejudicial to the substantial rights of the appellant was committed. Article 66(c), UCMJ, 10 U.S.C. § 866(c); *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). On the basis of the entire record, the approved findings and sentence are

AFFIRMED.

OFFICIAL

LAQUITTA J. SMITH
Documents Examiner