

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class JOSHUA A. NYGAARD
United States Air Force**

ACM S31033

20 October 2006

Sentence adjudged 6 December 2005 by SPCM convened at McConnell Air Force Base, Kansas. Military Judge: William M. Burd (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 6 months, forfeiture of \$823.00 pay per month for 6 months, and reduction to E-1.

Appellate Counsel for Appellant: Major N. Anniece Barber.

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

Before

**BROWN, JACOBSON, AND SCHOLZ
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

JEFFREY L. NESTER
Clerk of Court