

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Technical Sergeant ERIK D. RABES
United States Air Force

ACM 37315

18 May 2009

Sentence adjudged 24 June 2008 by GCM convened at Offutt Air Force Base, Nebraska. Military Judge: Stephen Woody (sitting alone).

Approved sentence: Dishonorable discharge, confinement for 6 years, and reduction to E-1.

Appellate Counsel for the Appellant: Major Lance J. Wood and Captain Michael A. Burnat.

Appellate Counsel for the United States: Major Jeremy S. Weber.

Before

FRANCIS, HEIMANN, and THOMPSON
Appellate Military Judges

This opinion is subject to editorial correction before final release.

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).

* Although not affecting the legal sufficiency of the findings or sentence, the court-martial order erroneously includes the language "on divers occasions" in Specification 4 of the Charge. We order the promulgation of a corrected court-martial order.

Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL



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