

**UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS**

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**UNITED STATES**

**v.**

**Airman First Class JOSE L. RAMIREZ JR.  
United States Air Force**

**ACM 35579 (f rev)**

**9 May 2006**

Sentence adjudged 20 February 2003 by GCM convened at Offutt Air Force Base, Nebraska. Military Judge: Anne L. Burman (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 10 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Colonel Carlos L. McDade, Lieutenant Colonel Mark R. Strickland, Major Terry L. McElyea, Major James M. Winner, and Major John N. Page III.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, and Major John C. Johnson.

Before

**ORR, JOHNSON, and JACOBSON**  
Appellate Military Judges

**UPON FURTHER REVIEW**

**PER CURIAM:**

This case is before this Court for the second time. Initially, we returned this case for remand to the convening authority for a new action in accordance with *United States v. Emminizer*, 56 M.J. 441 (C.A.A.F. 2002). *United States v. Ramirez*, ACM 35579 (A.F. Ct. Crim. App. 25 Jan 2006) (unpub. op.). A new action was accomplished on 23 February 2006 and the case was returned to this Court for further review. The appellant, through counsel, has submitted no additional assignments of error for our consideration.

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

LOUIS T. FUSS, TSgt, USAF  
Chief Court Administrator