

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class ANGELICA R. REYNA
United States Air Force**

ACM S30829

29 June 2006

Sentence adjudged 13 October 2004 by SPCM convened at Nellis Air Force Base, Nevada. Military Judge: Jack L. Anderson (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 4 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, Major Maria A. Fried, Captain Kimberly A. Quedensley, and Captain Anthony D. Ortiz.

Appellate Counsel for the United States: Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, and Captain Jefferson E. McBride.

Before

BROWN, MOODY, and JACOBSON
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of error raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), and the government's reply thereto. We hold the appellant affirmatively waived sentence relief for any alleged violations of Article 13, UCMJ, 10 U.S.C. § 813.* *See United States v. Inong*, 58 M.J. 460, 465 (C.A.A.F. 2003); Rule for Courts-Martial 905(e); *see also United States v. Palmiter*, 20 M.J. 90, 97 (C.M.A. 1985) (failure to raise issue of pretrial punishment while undergoing pretrial confinement is strong evidence that the confinee was not illegally punished prior to trial). Further we find there is no evidence of error plain or otherwise. *See Inong*, 58 M.J. at 465.

* The appellant told the military judge she had not been subjected to punishment under Article 13, UCMJ.

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