

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

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**UNITED STATES**

**v.**

**Airman DEVIN G. RYBARZ  
United States Air Force**

**ACM S30501**

**24 September 2004**

Sentence adjudged 3 December 2003 by SPCM convened at Tinker Air Force Base, Oklahoma. Military Judge: John J. Powers (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 7 months, and reduction to E-1.

Appellate Counsel for Appellant: Lieutenant Colonel Carlos L. McDade, Major Terry L. McElyea, Major Andrew S. Williams, and Captain Jennifer K. Martwick.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer.

Before

STONE, GENT, and SMITH  
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

LAQUITTA J. SMITH  
Documents Examiner