

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

---

---

**UNITED STATES**

**v.**

**Airman Basic CHRISTOPHER G. SCARABELLO  
United States Air Force**

**ACM S30778**

**30 March 2006**

Sentence adjudged 20 September 2004 by SPCM convened at Osan Air Base, Republic of Korea. Military Judge: Steven A. Hatfield (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 7 months, and a fine of \$2,000.00.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, Major Andrew S. Williams, and Captain Kimberly A. Quedensley.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, Major Matthew S. Ward, and Major Jin-Hwa L. Frazier.

Before

**BROWN, MOODY, and FINCHER**  
Appellate Military Judges

**PER CURIAM:**

We have examined the record of trial, the assignment of error, and the government's reply. The appellant contends a new convening authority action is necessary because the record of trial did not contain an addendum to the staff judge advocate's recommendation, nor did it show that the convening authority had either received or considered the appellant's clemency submissions. In fact, the original record of trial *did* contain this information. The *copy* of the record received by the appellate defense counsel did not contain the document because of an administrative oversight. This situation has been remedied, so the issue is moot.

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

ANGELA M. BRICE  
Clerk of Court