

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman Basic ANDREW SILVA
United States Air Force**

ACM 37846

26 September 2011

Sentence adjudged 17 December 2010 by GCM convened at Moody Air Force Base, Georgia. Military Judge: Matthew D. Van Dalen (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 45 days; and forfeiture of \$800.00 pay per month for 1 month.

Appellate Counsel for the Appellant: Captain Shane A. McCammon.

Appellate Counsel for the United States: Colonel Don M. Christensen.

Before

**BRAND, GREGORY, and WEISS
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).

* While the approved findings are legally and factually sufficient, the Court notes that the Court-Martial Order (CMO), dated 15 February 2011, failed to list all of the charges and specifications upon which the appellant was arraigned, his complete pleas, and the subsequent disposition of each charge and specification. The Court orders the promulgation of a corrected CMO.

Accordingly, the approved findings and sentence are

AFFIRMED.

OFFICIAL



A handwritten signature in blue ink, appearing to read "S. Lucas", is written over a horizontal line.

STEVEN LUCAS
Clerk of the Court