

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class MATTHEW L. SMITH
United States Air Force**

ACM 37774

07 July 2011

Sentence adjudged 24 August 2010 by GCM convened at Seymour Johnson Air Force Base, North Carolina. Military Judge: Michael Savage (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 90 days, forfeiture of \$1000.00 pay per month for 3 months and reduction to E-1.

Appellate Counsel for the Appellant: Colonel Eric N. Eklund; Lieutenant Colonel Frank R. Levi; and Major Nicholas W. McCue.

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

Before

**BRAND, GREGORY and ROAN
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).

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