

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class JASON P. SMITH
United States Air Force**

ACM S30143

3 October 2003

Sentence adjudged 20 May 2002 by SPCM convened at Dover Air Force Base, Delaware. Military Judge: Sharon A. Shaffer (sitting alone).

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

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Terry L. McElyea, Major Karen L. Hecker, and Captain James M. Winner.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Lance B. Sigmon, and Lori M. Jemison (legal intern).

Before
BRESLIN, MOODY, and PETROW
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignment of errors raised pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), and the government's reply thereto. We conclude the findings and sentence are correct in law and fact, and no error prejudicial to the substantial rights of the appellant was committed. Article 66(c), UCMJ, 10 U.S.C. § 866(c). The sentence adjudged and approved is not inappropriately severe. *United States v. Healey*, 26 M.J. 394, 395 (C.M.A. 1988). *See also United States v. Snelling*, 14 M.J. 267, 268 (C.M.A. 1982). On the basis of the entire record, the approved findings and sentence are

AFFIRMED.

OFFICIAL

FELECIA M. BUTLER, TSgt, USAF
Chief Court Administrator