

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Senior Airman WILLIAM J. ST. BLANC, JR.
United States Air Force

ACM 37206 (f rev)

19 March 2010

Sentence adjudged 14 December 2007 by GCM convened at Fairchild Air Force Base, Washington. Military Judge: Nancy J. Paul (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 24 months, forfeiture of all pay and allowances, and reduction to E-1.

Appellate Counsel for the Appellant: Major Matthew C. Hoyer (argued), Major Shannon A. Bennett, Major Lance J. Wood, Major Imelda L. Paredes, Captain Nicholas McCue, and Captain Tiaundra Sorrell.

Appellate Counsel for the United States: Captain Michael T. Rakowski (argued), Colonel Douglas P. Cordova, Lieutenant Colonel Jeremy S. Weber, and Gerald R. Bruce, Esquire.

Before

BRAND, HELGET, and GREGORY
Appellate Military Judges

UPON FURTHER REVIEW

This opinion is subject to editorial correction before final release.

PER CURIAM:

A general court-martial composed of a military judge sitting alone convicted the appellant, contrary to his pleas, of one specification of attempt to communicate indecent language to a person believed to be under age 16, and one specification of wrongful and knowing possession of 15 images and 4 videos which depict persons who appear to be minors engaging in sexually explicit conduct, in violation of Articles 80 and 134, UCMJ,

10 U.S.C. §§ 880, 934. The approved sentence consists of a bad-conduct discharge, confinement for 24 months, forfeiture of all pay and allowances, and reduction to E-1.

This case is before our Court for the second time. In *United States v. St. Blanc*, ACM 37206 (A.F. Ct. Crim. App. 21 Oct 2009) (unpub. op.), we affirmed the findings. However, because the Action failed to properly state the convening authority's deferral and waiver of forfeitures on 27 December 2007, we returned the record to the Judge Advocate General of the Air Force for remand to the convening authority to withdraw the erroneous Action, substitute a corrected Action, and promulgate a corrected court-martial order.

On 12 November 2009, the Action and court-martial order were accomplished in accordance with the Court's directions.

Conclusion

The approved findings were previously affirmed by this Court. The approved sentence is 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 sentence is

AFFIRMED.

OFFICIAL



Christina E. Parsons
CHRISTINA E. PARSONS, TSgt, USAF
Deputy, Clerk of the Court