

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

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**UNITED STATES**

**v.**

**Staff Sergeant AHMAD A. SWOPE**  
**United States Air Force**

**ACM 37006**

**17 October 2007**

Sentence adjudged 2 April 2007 by GCM convened at Travis Air Force Base, California. Military Judge: Nancy J. Paul (sitting alone).

Approved sentence: Bad-conduct discharge, fine of \$3,500.00, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Nikki A. Hall, Lieutenant Colonel Mark R. Strickland, and Captain Lance J. Wood.

Appellate Counsel for the United States: Colonel Gerald R. Bruce.

Before

SCHOLZ, JACOBSON, and THOMPSON  
Appellate Military Judges

This opinion is subject to editorial correction before final release.

PER CURIAM:

In accordance with his pleas, the appellant was found guilty of larceny and making false official statements. A military judge sitting alone as a general court-martial sentenced the appellant to a bad-conduct discharge, a fine of \$3,500.00, and reduction to the grade of E-1. The promulgating order, however, reflects the appellant was sentenced by a panel of officer and enlisted members.

This case was submitted to us on its merits with no assignment of error. The appellant points out the error in the promulgating order, but asserts no prejudice. We agree that the promulgating order is incorrect. Preparation of a corrected order, properly reflecting the composition of the court-martial, is hereby directed.

*Conclusion*

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



STEVEN LUCAS, GS-11, DAF  
Clerk of the Court