

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Second Lieutenant DANIEL F. TAYLOR
United States Air Force

ACM 35685 (f rev)

18 October 2006

Sentence adjudged 24 March 2003 by GCM convened at Schriever Air Force Base, Colorado. Military Judge: James L. Flanary (sitting alone).

Approved sentence: Dismissal and confinement for 10 years.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Lieutenant Colonel Mark R. Strickland, Major Terry L. McElyea, Major Jennifer K. Martwick, Captain Diane M. Paskey, and Captain John S. Fredland.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Colonel Gerald R. Bruce, Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, and Major Jin-Hwa L. Frazier.

Before

BROWN, JACOBSON, and SCHOLZ
Appellate Military Judges

UPON FURTHER REVIEW

PER CURIAM:

This case is before our Court upon further review because the original action was set aside. *United States v. Taylor*, ACM 35685 (A.F. Ct. Crim. App. 22 February 2006) (unpub. op.). We found that the convening authority's action was improperly completed because it failed to reflect his decision to defer and then waive mandatory forfeitures for the benefit of the appellant's dependents. We returned the case to The Judge Advocate General for remand to the convening authority to withdraw the erroneous action and substitute a corrected action. On

23 June 2006, the convening authority completed a new action that complies with our holding. This case came before this Court for further review with no additional assignments of error.

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

JEFFREY L. NESTER
Clerk of Court