

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

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**UNITED STATES**

**v.**

**Airman Basic SIR EDWARD S. THOMAS, JR.  
United States Air Force**

**ACM S32184 (f rev)**

**26 February 2015**

Sentence adjudged 23 September 2013 by SPCM convened at Tinker Air Force Base, Oklahoma. Military Judge: Natalie D. Richardson (sitting alone).

Approved Sentence: Bad-conduct discharge and confinement for 2 months.

Appellate Counsel for the Appellant: Major Christopher D. James.

Appellate Counsel for the United States: Major Roberto Ramírez and Gerald R. Bruce, Esquire.

Before

**HECKER, MITCHELL, and CONTOVEROS**  
Appellate Military Judges

**OPINION OF THE COURT**

This opinion is issued as an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.

**PER CURIAM:**

A special court-martial composed of a military judge convicted the appellant, pursuant to his pleas, of wrongfully using marijuana and breaking restriction, in violation of Articles 112a and 134, UCMJ, 10 U.S.C. §§ 912a, 934. The adjudged sentence consisted of a bad-conduct discharge and confinement for 2 months. On 11 November 2013, the convening authority approved the sentence as adjudged.

On 29 October 2014, we remanded this case for withdrawal of the original action and for new post-trial processing after we found plain error when the convening authority

was not advised about a clemency recommendation made by the military judge. *United States v. Thomas*, ACM S32184 (A.F Ct. Crim App. 29 October 2014) (unpub. op.). On 5 January 2015, following that corrected post-trial processing, the convening authority approved the sentence as originally adjudged. After the case was returned to this court on 14 January 2015, the appellant elected not to file a supplemental assignment 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. Articles 59(a) and 66(c), UCMJ, 10 U.S.C. §§ 859(a), 866(c). Accordingly, the findings and sentence are **AFFIRMED**.



FOR THE COURT

A handwritten signature in blue ink, appearing to read "S. Lucas", is written over a horizontal line.

STEVEN LUCAS  
Clerk of the Court