

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Second Lieutenant FILMORE VARNER JR.
United States Air Force**

ACM 35999

30 September 2005

Sentence adjudged 25 February 2004 by GCM convened at Kirtland Air Force Base, New Mexico. Military Judge: Anne L. Burman (sitting alone).

Approved sentence: Dismissal and confinement for 8 months.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Lieutenant Colonel Mark R. Strickland, Major Sandra K. Whittington, and Captain Christopher S. Morgan.

Appellate Counsel for the United States: Lieutenant Colonel Gary F. Spencer.

Before

ORR, JOHNSON, and JACOBSON
Appellate Military Judges

PER CURIAM:

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

ANGELA M. BRICE
Clerk of Court