

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Senior Airman BRYAN P. WALSWORTH
United States Air Force

ACM S30592 (f rev)

21 December 2006

Sentence adjudged 14 January 2004 by SPCM convened at Mountain Home Air Force Base, Idaho. Military Judge: Timothy D. Wilson (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 6 months, forfeiture of \$795.00 pay per month for 10 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Carlos L. McDade, Lieutenant Colonel Andrew S. Williams, Major Terry L. McElyea, and Major Sandra K. Whittington.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Colonel Gary F. Spencer, Lieutenant Colonel Robert V. Combs, and Major Michelle M. McCluer.

Before

BROWN, JACOBSON, and SCHOLZ
Appellate Military Judges

UPON FURTHER REVIEW

PER CURIAM:

This case is again before our Court for further review because our original decision¹ was set aside by the Court of Appeals for the Armed Forces. *United States v. Walsworth*, No. 05-0447/AF (C.A.A.F. 21 Sep 2006) (Summary Disposition) (unpub. op.). The findings and sentence were approved in our

¹ *United States v. Walsworth*, ACM S30592 (A.F. Ct. Crim. App. 21 Mar 2005) (unpub. op.).

original opinion after being submitted for review without assignment of error. Our superior court subsequently set aside the decision in light of *United States v. Lane*, 64 M.J. 1 (C.A.A.F. 2006), and remanded the case to us for a new review under Article 66(c) of the Uniform Code of Military Justice (UCMJ).² The case comes before us without assignment of additional error by the appellant.

We completed a new review of the case in accordance with the order of our superior court. 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

LAQUITTA J. SMITH
Documents Examiner

² 10 U.S.C. § 866(c).