

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Senior Airman JUSTIN R. BURKHARDT
United States Air Force**

ACM 34196

15 January 2002

Sentence adjudged 20 June 2000 by GCM convened at Malmstrom Air Force Base, Montana. Military Judge: Steven A. Gabrial (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 6 months, and reduction to E-1.

Appellate Counsel for Appellant: Colonel James R. Wise, Lieutenant Colonel Timothy W. Murphy, and Major Maria A. Fried

Appellate Counsel for the United States: Colonel Anthony P. Dattilo, Lieutenant Colonel Lance B. Sigmon, and Major Cheryl D. Lewis.

Before

**BURD, BRESLIN, and HEAD
Appellate Military Judges**

PER CURIAM:

The appellant asks that we return the record to the convening authority to determine whether the trial defense counsel reviewed the transcript before authentication, as required by Rule for Courts-Martial (R.C.M.) 1103(i)(1)(B). However, the appellant makes no allegation of prejudice, and we find none. Article 59(a), UCMJ, 10 U.S.C. § 859(a). Therefore, we find no basis for granting relief.

The 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. Turner, 25 M.J. 324, 325 (C.M.A. 1987). Accordingly, the findings and sentence are

AFFIRMED.

OFFICIAL

FELECIA M. BUTLER
Chief Court Administrator