

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

No. ACM 39414

UNITED STATES
Appellee

v.

Alexander M. FRESCATORE
Senior Airman (E-4), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 17 December 2018

Military Judge: Shelly W. Schools.

Approved sentence: Bad-conduct discharge, confinement for 7 months, and reduction to E-1. Sentence adjudged 24 October 2017 by GCM convened at Holoman Air Force Base, New Mexico.

For Appellant: Major Rebecca J. Otey, USAF; Captain Dustin J. Weisman, USAF.

For Appellee: Lieutenant Colonel Joseph J. Kubler, USAF; Mary Ellen Payne, Esquire.

Before HUYGEN, MINK, and POSCH, *Appellate Military Judges*.

This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.

PER CURIAM:

The approved findings and sentence are correct in law and fact, and no error materially prejudicial to Appellant's substantial rights occurred. Articles

59(a) and 66(c), Uniform Code of Military Justice, 10 U.S.C. §§ 859(a), 866(c).
Accordingly, the approved findings and sentence are **AFFIRMED**.



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court