

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

No. ACM S32427

UNITED STATES
Appellee

v.

Seth E. GREENE
Senior Airman (E-4), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 10 August 2017

Military Judge: Stephen J. Grocki.

Approved sentence: Bad-conduct discharge, confinement for 75 days, forfeiture of \$1034.00 pay per month for 8 months, and reduction to E-1. Sentence adjudged 8 June 2016 by SpCM convened at MacDill Air Force Base, Florida.

For Appellant: Major Mark C. Bruegger, USAF; Major Travis L. Vaughan, USAF.

For Appellee: Major Meredith L. Steer, USAF; Gerald R. Bruce, Esquire.

Before DREW, MAYBERRY, and DENNIS, *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**This is an unpublished opinion and, as such, does not serve as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**.¹



FOR THE COURT

A handwritten signature in black ink, appearing to read "Kurt J. Brubaker", written over a horizontal line.

KURT J. BRUBAKER
Clerk of the Court

¹ We note the staff judge advocate's recommendation (SJAR) failed to advise the convening authority of the confinement limitations imposed by the pretrial agreement in this case. We find this error harmless, however, as the convening authority approved only so much of the sentence as complied with the pretrial agreement. Similarly, the addendum to the SJAR failed to advise the convening authority of Appellant's request to have his rank restored. This error was likewise harmless in light of the convening authority's indorsement that she reviewed and considered all matters submitted by Appellant prior to taking action.