

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

No. ACM 39920

UNITED STATES
Appellee

v.

Thomas J. MCGUIRE
Staff Sergeant (E-5), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 22 April 2021

Military Judge: Christopher M. Schumann.

Sentence: Sentence adjudged on 20 April 2020 by GCM convened at Nellis Air Force Base, Nevada. Sentence entered by military judge on 14 May 2020: Bad-conduct discharge, confinement for 6 months, reduction to E-1, and a reprimand.

For Appellant: Lieutenant Colonel Lance J. Wood, USAF; Major Rodrigo M. Caruço, USAF.

For Appellee: Lieutenant Colonel Matthew J. Neil, USAF.

Before MINK, KEY, and ANNEXSTAD, *Appellate Military Judges*.

**This is an unpublished opinion and, as such, does not serve as
precedent under AFCCA Rule of Practice and Procedure 30.4.**

PER CURIAM:

The 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(d), Uniform Code of Military Justice, 10 U.S.C. §§ 859(a), 866(d).

Manual for Courts-Martial, United States (2019 ed.). Accordingly, the approved findings and sentence are **AFFIRMED**.^{1,2}



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court

¹ We note the Statement of Trial Results in this case failed to include the command which convened the court-martial as required by Rule for Courts-Martial (R.C.M.) 1101(a)(3). Appellant has made no claim of prejudice and we find none. *See United States v. Moody-Neukom*, No. ACM S32594, 2019 CCA LEXIS 521, at *2–3 (A.F. Ct. Crim. App. 16 Dec. 2019) (per curiam) (unpub. op.).

² We note the entry of judgment failed to include the reprimand issued by the convening authority as required by R.C.M. 1111(b)(3)(D). Appellant has not claimed any prejudice as a result of this error in the entry of judgment, and we find none. We direct the military judge, through the Chief Trial Judge, Air Force Trial Judiciary, to correct the entry of judgment accordingly and prior to completion of the final order under R.C.M. 1209(b) and Air Force Instruction 51-201, *Administration of Military Justice*, Section 14J (18 Jan. 2019).