

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

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**No. ACM 40309**

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**UNITED STATES**  
*Appellee*

**v.**

**DeAnthony M. SMITH**  
Airman First Class (E-3), U.S. Air Force, *Appellant*

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Appeal from the United States Air Force Trial Judiciary  
Decided 22 December 2022

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*Military Judge:* Sterling C. Pendleton.

*Sentence:* Sentence adjudged on 3 May 2022 by GCM convened at Royal Air Force Mildenhall, United Kingdom. Sentence entered by military judge on 25 May 2022: Bad-conduct discharge, confinement for 90 days, forfeiture of \$1,200.00 pay per month for 3 months, and reduction to E-1.

*For Appellant:* None.<sup>1</sup>

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

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**This is an unpublished opinion and, as such, does not serve as  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

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PER CURIAM:

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<sup>1</sup> On 3 May 2022 and again on 23 May 2022, Appellant declined, in writing, appellate defense counsel representation. *See United States v. Xu*, 70 M.J. 140 (C.A.A.F. 2011) (mem.); *see also* Department of the Air Force Instruction 51-201, *Administration of Military Justice*, ¶ 24.3 (14 Apr. 2022).

The findings and sentence as entered 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 findings and sentence are **AFFIRMED**.<sup>2</sup>



FOR THE COURT

A handwritten signature in blue ink, appearing to read "Anthony F. Rock".

ANTHONY F. ROCK, Maj, USAF  
Acting Clerk of the Court

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<sup>2</sup> We note that the entry of judgment includes the full name of one of the victims in two places, despite using the initials of the other victim in all other instances. While such an error certainly undermines the main rationale for using initials in the first place—to protect the privacy of crime victims—Appellant did not allege this error or assert any prejudice. We do not find any prejudice and conclude that no relief is warranted.