

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

No. ACM 40196

UNITED STATES

Appellee

v.

John L. TOLANO

Technical Sergeant (E-6), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary

Decided 31 October 2022

Military Judge: Christina M. Jimenez.

Sentence: Sentence adjudged on 13 July 2021 by GCM convened at Cannon Air Force Base, New Mexico. Sentence entered by military judge on 20 August 2021: Dishonorable discharge, confinement for 5 years, forfeiture of all pay and allowances, and reduction to E-1.

For Appellant: Major Spencer R. Nelson, USAF.

For Appellee: Lieutenant Colonel Thomas J. Alford, USAF; Major John P. Patera, USAF; Major Brittany M. Speirs, USAF; Mary Ellen Payne, Esquire.

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This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 30.4.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



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court