

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

**Airman First Class JOHN C. HARRIS
United States Air Force**

ACM 34918

5 December 2003

Sentence adjudged 2 February 2001 by GCM convened at Cannon Air Force Base, New Mexico. Military Judge: Gregory E. Pavlik.

Approved sentence: Dishonorable discharge, confinement for 2 years, forfeiture of all pay and allowances, and reduction to E-1.

Appellate Counsel for Appellant: Colonel Beverly B. Knott, Major Maria A. Fried, Major Patricia A. McHugh, and Captain L. Martin Powell.

Appellate Counsel for the United States: Colonel LeEllen Coacher, Lieutenant Colonel Lance B. Sigmon, and Major Linette I. Romer.

Before

BRESLIN, MOODY, and GRANT
Appellate Military Judges

PER CURIAM:

We have examined the record of trial, the assignments of error, and the government's reply thereto. The appellant asserts—and the government concedes—that he should be credited with an additional two days of pretrial confinement for the time he was held by civilian authorities. We agree and so order. *See United States v. Sherman*, 56 M.J. 900 (A.F. Ct. Crim. App. 2002). The remaining allegations of error are without merit. *United States v. Quiroz*, 55 M.J. 334 (C.A.A.F. 2001); *United States v. Healy*, 26 M.J. 394 (C.M.A. 1988); *United States v. Butcher*, 53 M.J. 711 (A.F. Ct. Crim. App. 2000), *aff'd*, 56 M.J. 87 (C.A.A.F. 2001). The findings and sentence are correct in law

and fact, and no error prejudicial to the substantial rights of the appellant occurred. Article 66(c), UCMJ, 10 U.S.C. § 866(c); *United States v. Reed*, 54 M.J. 37, 41 (C.A.A.F. 2000). Accordingly, the findings and sentence are

AFFIRMED.

OFFICIAL

HEATHER D. LABE
Clerk of Court