

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

No. ACM S32497

UNITED STATES
Appellee

v.

Sengchanh P. SEUAM
Senior Airman (E-4), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary
Decided 5 October 2018

Military Judge: Mark F. Rosenow (motions); Michael D. Schag (motions); Shelly W. Schools (arraignment and trial).

Approved sentence: Bad-conduct discharge, confinement for 4 months, forfeiture of \$1,066.00 pay per month for 4 months, and reduction to E-1. Sentence adjudged 5 October 2017 by SpCM convened at Joint Base Elmendorf-Richardson, Alaska.

For Appellant: Major Meghan R. Glines-Barney, USAF.

For Appellee: Lieutenant Colonel Joseph J. Kubler, USAF; Mary Ellen Payne, Esquire.

Before JOHNSON, DENNIS, and LEWIS, *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This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.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**.*



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court

* Although Appellant raises no specific assignment of error, we note the staff judge advocate recommendation erroneously advised the convening authority that the maximum sentence that could be imposed by this special court-martial included, *inter alia*, a fine in addition to forfeiture of two-thirds pay per month for 12 months. *See* Rule for Courts-Martial (R.C.M.) 201(f)(2)(B)(i); R.C.M. 1003(b)(3); *United States v. Books*, No. ACM S32369, 2017 CCA LEXIS 226, at *7 (A.F. Ct. Crim. App. 31 Mar. 2017 (unpub. op.)). However, under the facts of this case we find no colorable showing of possible prejudice, and therefore we affirm. *See United States v. Scalo*, 60 M.J. 435, 436–37 (C.A.A.F. 2005) (citation omitted).