

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

---

**No. ACM S32474**

---

**UNITED STATES**  
*Appellee*

**v.**

**Michael E. TOSTADO**  
Airman First Class (E-3), U.S. Air Force, *Appellant*

---

Appeal from the United States Air Force Trial Judiciary  
Decided 27 April 2018

---

*Military Judge:* Mark F. Rosenow.

*Approved sentence:* Bad-conduct discharge, confinement for 5 months, forfeiture of \$1,066.00 pay per months for 5 months, reduction to E-1, and a reprimand. Sentence adjudged 14 March 2017 by SpCM convened at Fairchild Air Force Base, Washington.

*For Appellant:* Captain Mark J. Schwartz, USAF.

*For Appellee:* Lieutenant Colonel Joseph J. Kubler, USAF.

Before JOHNSON, MINK, and DENNIS, *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**This is an unpublished opinion and, as such, does not serve as  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