

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Senior Airman CHRISTOPHER W. GIBSON
United States Air Force

ACM S31967

19 December 2012

Sentence adjudged 20 June 2011 by SPCM convened at Hurlburt Field, Florida. Military Judge: W. Thomas Cumbie.

Approved sentence: Bad-conduct discharge, hard labor without confinement for 3 months, and reduction to E-1.

Appellate Counsel for the Appellant: Captain Luke D. Wilson.

Appellate Counsel for the United States: Colonel Don M. Christensen; Major Roberto Ramirez; and Gerald R. Bruce, Esquire.

Before

GREGORY, HARNEY, and CHERRY
Appellate Military Judges

This opinion is subject to editorial correction before final release.

PER CURIAM:

At a special court-martial composed of officer members, the appellant pled guilty to using cocaine in violation of Article 112a, UCMJ, 10 U.S.C. § 912a. After the military judge accepted his pleas and entered findings of guilty, the court sentenced him to a bad-conduct discharge, hard labor without confinement for three months, and reduction to the grade of E-1. The convening authority approved the sentence as adjudged. Pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982), the appellant asserts that a bad-conduct discharge is inappropriately severe. We disagree.

Having considered the entire record in the present case, with particular attention to the matters cited by the appellant, we do not find a bad-conduct discharge inappropriately severe. See *United States v. Snelling*, 14 M.J. 267, 268 (C.M.A. 1982).

Conclusion

The approved 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 approved findings and sentence are

AFFIRMED.

OFFICIAL



A handwritten signature in blue ink, appearing to read "S. Lucas", is written over a faint, light blue circular stamp or watermark.

STEVEN LUCAS
Clerk of the Court