

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

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**UNITED STATES**

**v.**

**Senior Airman KYNAN D. NIENABER**  
**United States Air Force**

**ACM S30918**

**23 May 2006**

Sentence adjudged 1 April 2005 by SPCM convened at McGuire Air Force Base, New Jersey. Military Judge: Kevin P. Koehler (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 8 months, and reduction to E-1.

Appellate Counsel for Appellant: Lieutenant Colonel Mark R. Strickland, Major John N. Page III, Major Imelda L. Paredes, and Captain Christopher S. Morgan.

Appellate Counsel for the United States: Colonel Gary F. Spencer.

Before

**ORR, JOHNSON, and JACOBSON**  
Appellate Military Judges

**PER CURIAM:**

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**

**LOUIS T. FUSS, TSgt, USAF**  
Chief Court Administrator