

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

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**UNITED STATES**

**v.**

**Airman EARL A. SHEPHERD JR.  
United States Air Force**

**ACM S30540**

**13 August 2004**

Sentence adjudged 19 November 2003 by SPCM convened at Charleston Air Force Base, South Carolina. Military Judge: Lance B. Sigmon (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 9 months, forfeiture of \$767.00 pay per month for 9 months, and reduction to E-1.

Appellate Counsel for Appellant: Lieutenant Colonel Carlos L. McDade, Major Terry L. McElyea, Major Sandra K. Whittington, and Captain Jennifer K. Martwick.

Appellate Counsel for the United States: Colonel LeEllen Coacher.

Before

**PRATT, ORR, and MOODY**  
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.**

Judge MOODY did not participate.

OFFICIAL

ANGELA M. BRICE  
Clerk of Court