

UNITED STATES AIR FORCE COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Airman First Class DONALD E. SIEGMAN
United States Air Force

ACM S31228

14 December 2007

Sentence adjudged 14 November 2006 by SPCM convened at Pope Air Force Base, North Carolina. Military Judge: Stephen R. Woody (sitting alone).

Approved sentence: Bad-conduct discharge and reduction to E-1.

Appellate Counsel for the Appellant: Lieutenant Colonel Mark R. Strickland, Lieutenant Colonel Maria A. Fried, and Captain Anthony D. Ortiz.

Appellate Counsel for the United States: Colonel Gerald R. Bruce, Major Matthew S. Ward, Major Donna S. Rueppell, and Captain Jason M. Kellhofer.

Before

FRANCIS, SOYBEL, and BRAND
Appellate Military Judges

This opinion is subject to editorial correction before final release.

PER CURIAM:

We have reviewed the record of trial, the assignment of error, and the government's answer thereto. We have carefully considered the appellant's assertion that his bad-conduct discharge should be set aside under *United States v. Henry*, 53 M.J. 108 (C.A.A.F. 1999), and Rule for Courts-Martial 1102(b)(2)(B), because the record of trial is incomplete. Since the appellant filed his assignment of errors, the government has submitted a corrected copy of the record of trial that rectifies the omissions contained in the original record of trial. As such the record of trial is complete and substantially verbatim. *Henry*, 53 M.J. at 110-11.

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 findings and sentence are

AFFIRMED.

OFFICIAL



STEVEN LUCAS, GS-11, DAF
Clerk of the Court