

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

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**UNITED STATES**

**v.**

**Airman First Class RUTH P. STONE  
United States Air Force**

**ACM S30556**

**29 October 2004**

Sentence adjudged 11 December 2003 by SPCM convened at Langley Air Force Base, Virginia. Military Judge: Daryl E. Trawick (sitting alone).

Approved sentence: Bad-conduct discharge, confinement for 3 months, forfeiture of two-thirds pay per month for 3 months, and reduction to E-1.

Appellate Counsel for Appellant: Major Terry L. McElyea, Major Maria A. Fried, and Major Sandra K. Whittington.

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

Before

STONE, GENT, and SMITH  
Appellate Military Judges

PER CURIAM:

Although she asserts no prejudice, the appellant notes the failure of the trial judge to announce the forfeitures in an exact amount in whole numbers in accordance with Rule for Courts-Martial 1003(b)(2). The special court-martial promulgating order attempts to correct the error in the "Sentence" portion of the order; however, that portion should reflect the sentence as adjudged ("forfeiture of two-thirds pay per month for 3 months"), not the corrected whole number calculation. Only so much of the sentence as extends to a bad-conduct discharge, confinement for 3 months, forfeiture of \$767.00 pay per month for 3 months, and reduction to E-1 is affirmed. The record of trial is returned to The Judge Advocate General for administrative correction of the promulgating order to reflect the sentence adjudged by the trial judge. Subject to further modification of the sentence in the course of appellate review, the final supplementary order shall reflect the sentence

as affirmed above. The case need not be returned to this Court following administrative correction of the order unless further appellate review is required.

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 GENT did not participate.

OFFICIAL

ANGELA M. BRICE  
Clerk of Court