

**UNITED STATES NAVY–MARINE CORPS
COURT OF CRIMINAL APPEALS**

No. 201500397

UNITED STATES OF AMERICA

Appellee

v.

TRAVONTA A. STEPHENS

Lance Corporal (E-3), U.S. Marine Corps

Appellant

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge: Commander Marcus N. Fulton, JAGC, USN.

For Appellant: Lieutenant Colonel Richard A. Viczorek, USMCR.

For Appellee: Commander C. Eric Roper, JAGC, USN; Major Tracey
L. Holtshirley, USMC.

Decided 30 August 2016

Before PALMER, FISCHER,¹ and RUGH, *Appellate Military Judges*

This opinion does not serve as binding precedent, but may be cited as persuasive authority under NMCCA Rule of Practice and Procedure 18.2.

PER CURIAM:

A military judge, sitting as a general court-martial, convicted the appellant, pursuant to his pleas, of one specification of attempted sexual assault of a child and one specification of violating a lawful general order, in violation of Articles 80 and 92, Uniform Code of Military Justice, 10 U.S.C. §§ 880 and 892. The convening authority approved the adjudged sentence of 26 months' confinement, reduction to pay grade E-1, forfeiture of all pay and allowances, and a dishonorable discharge.

¹ Senior Judge Fischer participated in the decision of this case prior to detaching from the court.

The appellant avers that the military judge erred in concluding a dishonorable discharge was a mandatory minimum punishment for his attempted sexual assault of a child conviction. In accordance with our holding in *United States v. Henegar*, __ M.J. __, No. 201500379, 2016 CCA LEXIS 495 (N-M. Ct. Crim. App. 18 Aug 2016), we summarily reject this assigned error and affirm the findings and sentence.

For the Court

R.H. TROIDL
Clerk of Court

