

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

---

**No. 201800069**

---

**UNITED STATES OF AMERICA**

Appellee

v.

**KYLAN M. CULLY**

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

---

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge: Lieutenant Colonel Eugene H. Robinson Jr., USMC.

Convening Authority: Commanding General, 3d Marine Logistics  
Group, Camp Foster, Okinawa, Japan.

Staff Judge Advocate's Recommendation: Major David Ahn, USMC.

For Appellant: Lieutenant Jacqueline M. Leonard, JAGC, USN.

For Appellee: Brian K. Keller, Esq.

---

Decided 28 June 2018

---

Before MARKS, JONES, and GERDING, *Appellate Military Judges*

---

After careful consideration of the record, submitted without assignment of error, we affirm the findings and sentence as approved by the convening authority. Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c). The supplemental court-martial order will reflect that as to Charge I, Specification 3, the plea and findings shall reflect not guilty to Article 120, UCMJ, but guilty to the lesser included offense of assault consummated by battery in violation of Article 128, UCMJ: "In that Lance Corporal Kylan M. Cully, United States Marine Corps, while on active duty, at or near Okinawa, Japan, on or about

16 March 2017, did unlawfully grab the hand of Lance Corporal JH by causing bodily harm to her, to wit: placing her hand on his pelvic and groin area.”

For the Court

R.H. TROIDL  
Clerk of Court

