

# United States Navy–Marine Corps Court of Criminal Appeals

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UNITED STATES

Appellee

v.

**Brian E. McCREARY, Jr.**

Personnel Specialist Third Class (E-4), U.S. Navy  
Appellant

**No. 201800352**

Appeal from the United States Navy-Marine Corps Trial Judiciary.

Decided: 6 March 2019.

Military Judge:

Commander Hayes Larsen, JAGC, USN.

Sentence adjudged 20 July 2018 by a general court-martial convened at Naval Station Norfolk, VA consisting of a military judge sitting alone. Sentence approved by convening authority: confinement for 7 months, a fine in the amount of \$2,268.00, and a bad-conduct discharge.

For Appellant:

*Commander Robert D. Evans, Jr., JAGC, USN.*

For Appellee:

*Brian K. Keller, Esq.*

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**This opinion does not serve as binding precedent under  
NMCCA Rule of Appellate Procedure 30.2(a).**

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Before WOODARD, HUTCHISON, and ELLINGTON  
*Appellate Military Judges.*

PER CURIAM:

After careful consideration of the record, submitted without assignment of error, we have determined that the approved findings and sentence are correct in law and fact and that no error materially prejudicial to Appellant's substantial rights occurred. Articles 59 and 66, UCMJ, 10 U.S.C. §§ 859, 866.

The findings and sentence as approved by the convening authority are **AFFIRMED.** .



FOR THE COURT:

*Rodger A. Drew, Jr.*

RODGER A. DREW, JR.  
Clerk of Court