

This opinion is subject to administrative correction before final disposition.

United States Navy - Marine Corps
Court of Criminal Appeals

Before
HUTCHISON, TANG, and KOVAC,
Appellate Military Judges

UNITED STATES
Appellee

v.

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

No. 201900081

Decided: 25 June 2019.

Appeal from the United States Navy-Marine Corps Trial Judiciary. Military Judge: Lieutenant Colonel Wilbur Lee, USMC. Sentence adjudged 10 December 2018 by a general court-martial convened at Marine Corps Base, Hawaii, consisting of a military judge sitting alone. Sentence approved by convening authority: reduction to E-1, confinement for 30 months,¹ and a dishonorable discharge.

For Appellant: Commander C. Eric Roper, JAGC, USN.

For Appellee: Brian K. Keller, Esq.

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

¹ The Convening Authority suspended confinement in excess of 18 months pursuant to a pretrial agreement.

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 the 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