

*This opinion is subject to administrative correction before final disposition.*

Before  
HITESMAN, GASTON, and ATTANASIO,  
Appellate Military Judges

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**UNITED STATES**  
Appellee

v.

**Zachary A. ADDIS**  
Airman Apprentice (E-2), U.S. Navy  
Appellant

**No. 201900224**

Decided: 4 December 2019

Appeal from the United States Navy-Marine Corps Trial Judiciary. Military Judge: Captain Jonathan Stephens, JAGC, USN. Sentence adjudged 22 May 2019 by a special court-martial convened at Naval Base San Diego, California, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-1, confinement for 180 days, and a bad-conduct discharge.

For Appellant: Lieutenant Commander Derek C. Hampton, 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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PER CURIAM:

After careful consideration of the record, submitted without assignment of error, we have determined that the 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.

However, we note that Entry of Judgment fails to reflect the not guilty finding to certain language (“he was apprehended”) excepted from the guilty finding to Specification 2 of Charge I.<sup>1</sup> Although we find no prejudice, Appellant is entitled to have court-martial records that correctly reflect the content of his proceeding. *United States v. Crumpley*, 49 M.J. 538, 539 (N-M. Ct. Crim. App. 1998). In accordance with Rule for Courts-Martial 1111(c)(2), Manual for Courts-Martial, United States (2019 ed.), we modify the Entry of Judgment and direct that it be included in the record.

The findings and sentence are **AFFIRMED**.



FOR THE COURT:

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RODGER A. DREW, JR.  
Clerk of Court

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<sup>1</sup> The Entry of Judgment does note that the language “he was apprehended” was excepted from the guilty finding to Specification 2 of Charge I but fails to reflect the disposition of this excepted language – a not guilty finding vice some other disposition, e.g., withdrawal, dismissal, etc.

United States Navy - Marine Corps  
Court of Criminal Appeals

UNITED STATES  
Appellee

v.

Zacharay A. ADDIS  
Airman Apprentice (E-2)  
U. S. Navy  
Accused

NMCCA No. 201900224

ENTRY  
OF  
JUDGMENT

*As Modified on Appeal  
4 December 2019*

On 22 May 2019, the Accused was tried at Navy Base San Diego, California, by a special court-martial, consisting of a military judge sitting alone. Military Judge Jonathan Stephens, presided.

**FINDINGS**

The following are the Accused's pleas and the Court's findings to all offenses the convening authority referred to trial:

**Charge I: Violation of Article 86, Uniform Code of Military Justice, 10 U.S.C. § 886.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification 1: Absent Without Authority on or about 6 August 2018.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification 2: Absent Without Authority Terminated by Apprehension on or about 14 January 2019.**

*Plea:* Guilty.

*Finding:* Not Guilty, but Guilty of Absent Without Authority  
Not Terminated by Apprehension.

**Charge II: Violation of Article 92, Uniform Code of Military Justice,  
10 U.S.C. § 892.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification 1: Violate a General Order on or about June 2018.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification 2: Dereliction of Duty from about 31 January 2019 to  
about 4 February 2019.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed.

**Charge III: Violation of Article 112a, Uniform Code of Military Justice,  
10 U.S.C. § 912a.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification 1: Wrongful Use of Cocaine on or about 27 June 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed.

**Specification 2: Wrongful Possession of Cocaine on or about 2 June  
2018.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification 3: Wrongful Distribution of Cocaine on or about 2 June  
2018.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification 4: Wrongful Introduction of Cocaine Onto an Armed  
Forces Installation on or about June 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed.

**Charge IV: Violation of Article 114, Uniform Code of Military Justice,  
10 U.S.C. § 914.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed.

**Specification: Reckless Endangerment from about 31 January 2019 to  
about 4 February 2019.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed.

**Charge V: Violation of Article 134, Uniform Code of Military Justice,  
10 U.S.C. § 934.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification: Wrongfully Endeavoring to Impede an Investigation  
on or about 27 June 2018.**

*Plea:* Guilty.

*Finding:* Guilty.

## SENTENCE

On 22 May 2019, a military judge sentenced the Accused to the following (as modified, if at all, during any post-trial action):

**A reprimand.**

**Reduction to pay grade E-1.**

**Confinement for 180 days.**

**A bad-conduct discharge.**

The Accused has served 106 days pretrial confinement and shall be credited with 106 days of confinement already served, to be deducted from the adjudged sentence to confinement.



FOR THE COURT:

A handwritten signature in blue ink, reading "Rodger A. Drew, Jr." with a stylized flourish at the end.

RODGER A. DREW, JR.  
Clerk of Court