

United States Navy - Marine Corps  
Court of Criminal Appeals

UNITED STATES  
Appellee

v.

Lamaont A. MCCLARY  
Lance Corporal (E-3)  
U. S. Marine Corps  
Appellant

NMCCA NO. 201900111

Panel 2

ORDER

*Granting Appellant's Motion  
to Withdraw Case from  
Appellate Review*

On 30 September 2019,<sup>1</sup> the Court issued an Order Remanding Case for New Post-Trial Processing to correct the Statement of Trial Results, Convening Authority Action, and Entry of Judgment, each of which had substantive errors. On 30 October 2019, Appellant moved to withdraw his case from appellate review.

Upon consideration of the record of trial and Appellant's Motion to Withdraw from Appellate Review, we have determined that Appellant's request was properly executed and submitted, and is in substantial compliance with Article 61, UCMJ, and RULE FOR COURTS-MARTIAL 1115, MANUAL FOR COURTS-MARTIAL, UNITED STATES (2019 ed.).

Accordingly, it is, by the Court, this 31st day of October 2019,

**ORDERED:**

- (1) That the Court's 30 September 2019 Order is withdrawn.
- (2) That the Entry of Judgment shall be corrected to reflect that Charge II and its Specification have been withdrawn and dismissed with prejudice.
- (3) That Appellant's Motion to Withdraw Appellate Review is granted.
- (4) That the record of trial is returned to the Judge Advocate General for appropriate disposition.

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<sup>1</sup> The Court issued a corrected Order on 18 October 2019.



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

Copy to:

NMCCA (51.2)

45 (CDR Federico)

46 (Maj Wiggins, LT Fiveson)

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