

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

United States Navy - Marine Corps  
Court of Criminal Appeals

Before  
KING, McCONNELL, and ATTANASIO,  
Appellate Military Judges

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**UNITED STATES**  
Appellee

v.

**Joshua W. TAYLOR**  
Corporal (E-4), U.S. Marine Corps  
Appellant

**No. 201900172**

Decided: 20 November 2019.

Appeal from the United States Navy-Marine Corps Trial Judiciary. Military Judge: Lieutenant Colonel Wilbur Lee, USMC. Sentence adjudged 8 April 2019 by a general court-martial convened at Marine Corps Base Kaneohe Bay, Hawaii, consisting of a military judge sitting alone. Sentence approved in the Entry of Judgment: reduction to E-1, confinement for 12 months,<sup>1</sup> and a bad-conduct discharge.

For Appellant: Captain Valonne L. Ehrhardt, USMC.

For Appellee: Brian K. Keller, Esq.

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**This opinion does not serve as binding precedent, but  
may be cited as persuasive authority under NMCCA  
Rule of Appellate Procedure 30.2.**

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<sup>1</sup> The Convening Authority suspended confinement in excess of 8 months pursuant to a pretrial agreement.

PER CURIAM:

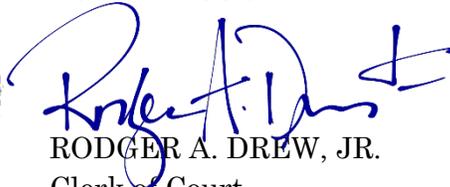
After careful consideration of the record, submitted without assignment of error, we have determined that the approved findings and sentence are correct in law and fact and that no error materially prejudicial to Appellant's substantial rights occurred. Articles 59 and 66, UCMJ, 10 U.S.C. §§ 859, 866.

However, we note that the Entry of Judgment does not accurately reflect the disposition of the charges. 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:

  
RODGER A. DREW, JR.  
Clerk of Court

United States Navy - Marine Corps  
Court of Criminal Appeals

UNITED STATES

NMCCA NO. 201900172

v.

ENTRY

OF

JUDGMENT

**Joshua W. TAYLOR**

**Corporal (E-4)**

**U.S. Marine Corps**

**Accused**

*As Modified on Appeal*

*20 November 2019*

On 23 January 2019, 1 March 2019, and 8 April 2019, the Accused was tried at Marine Corps Base Kaneohe Bay, Hawaii, by general court-martial, consisting of a military judge sitting alone. Military Judge Wilbur Lee presided.

**FINDINGS**

The following offenses were referred to trial, with the corresponding pleas and findings:

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

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Specification: Failure to obey a lawful order – wrongfully providing alcohol to a minor – on or about 1 January 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Charge II: Violation of Article 107, Uniform Code of Military Justice, 10 U.S.C. § 907.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Specification: False official statement on or about 19 February 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Charge III: Violation of Article 120, Uniform Code of Military Justice, 10 U.S.C. § 920.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Specification 1: Sexual assault – bodily harm – on or about 1 January 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Specification 2: Sexual assault – incapable of consenting due to impairment by an intoxicant – on or about 1 January 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Specification 3: Sexual assault – bodily harm – on or about 23 September 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Specification 4: Sexual assault – incapable of consenting due to impairment by an intoxicant – on or about 23 September 2018.**

*Plea:* Not Guilty.

*Finding:* Withdrawn and dismissed without prejudice to ripen into prejudice upon completion of appellate review.

**Charge IV: Violation of Article 128, Uniform Code of Military Justice, 10 U.S.C. § 928.**

*Plea:* Guilty.

*Finding:* Guilty.

**Specification: Assault consummated by a battery on or about 23 September 2018.**

*Plea:* Guilty.

*Finding:* Guilty.

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

*Plea:* Guilty.

*Finding:* Guilty.

**Specification: Adultery on or about 1 January 2018.**

*Plea:* Guilty.

*Finding:* Guilty.

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

*Plea:* Guilty.

*Finding:* Guilty.

**Specification: Dereliction of duty – willfully failing to ensure alcohol was not provided to minors – on or about 31 December 2017.**

*Plea:* Guilty.

*Finding:* Guilty.

**SENTENCE**

On 8 April 2019, the military judge adjudged the following sentence:

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

**Confinement for 12 months.<sup>1</sup>**

**A bad-conduct discharge.**



FOR THE COURT:

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

RODGER A. DREW, JR.  
Clerk of Court

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<sup>1</sup> The Convening Authority suspended confinement in excess of 8 months pursuant to a pretrial agreement.