

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

United States Navy - Marine Corps  
Court of Criminal Appeals

Before  
HITESMAN, STEWART, and COGLEY  
Appellate Military Judges

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**UNITED STATES**  
Appellee

v.

**Nicholas J. ANDRADE**  
Lance Corporal (E-3), U.S. Marine Corps  
Appellant

**No. 202000014**

Decided: 28 May 2020

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judges:  
Terrance J. Reese (arraignment)  
Kyle G. Phillips (trial)

Sentence adjudged 26 September 2019 by a general court-martial convened at Marine Corps Base Camp Lejeune, North Carolina, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to paygrade E-1, confinement for 33 months, forfeiture of all pay and allowances and a dishonorable discharge.

For Appellant:  
*Lieutenant Colonel Michael Berry, USMC*

For Appellee:  
*Brian K. Keller, Esq.*

**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, Uniform Code of Military Justice, 10 U.S.C. §§ 859, 866.

The findings and sentence are **AFFIRMED**.



FOR THE COURT:

  
RODGER A. DREW, JR.  
Clerk of Court