

This opinion is subject to administrative correction before final disposition.

United States Navy - Marine Corps
Court of Criminal Appeals

Before
STEPHENS, LAWRENCE, and PENNIX
Appellate Military Judges

UNITED STATES
Appellee

v.

Kyler Z. DEASON
Seaman (E-3), U.S. Navy
Appellant

No. 202000096

Decided: 30 September 2020

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge:
Aaron C. Rugh

Sentence adjudged 31 January 2020 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: confinement for 35 days and a bad-conduct discharge.

For Appellant:
Captain Jeremiah L. Sullivan III, 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).**

United States v. Deason, NMCCA No. 202000096
Opinion of the Court

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.¹

The findings² and sentence are **AFFIRMED**.



FOR THE COURT:

A handwritten signature in blue ink, which appears to read "Rodger A. Drew, Jr.", is written over the typed name.

RODGER A. DREW, JR.
Clerk of Court

¹ Uniform Code of Military Justice arts. 59, 66, 10 U.S.C. §§ 859, 866.

² As reflected in the Entry of Judgment and pursuant to a plea agreement, the military judge dismissed a number of specifications. We note that they were dismissed with prejudice.