

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

United States Navy - Marine Corps  
Court of Criminal Appeals

Before  
HITESMAN, STEWART, and GEIS  
Appellate Military Judges

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**UNITED STATES**  
Appellee

v.

**Daniel VAN DIJK**  
Information Systems Technician Third Class (E-4), U.S. Navy  
Appellant

**No. 201900288**

Decided: 21 May 2020

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judges:  
Derek Butler (arraignment)  
Aaron Rugh (trial)

Sentence adjudged 16 September 2019 by a general 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 42 months,<sup>1</sup> and a bad-conduct discharge

For Appellant:  
*Captain Brian L. Farrell, USMC*

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

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<sup>1</sup> The convening authority suspended confinement in excess of 33 months pursuant to a pretrial agreement.

**This opinion does not serve as binding precedent under  
NMCCA Rule of Appellate Procedure 30.2(a).**

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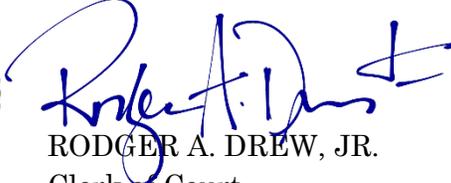
PER CURIAM:

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