

This opinion is subject to administrative correction before final disposition.

United States Navy - Marine Corps
Court of Criminal Appeals

Before
HOLIFIELD, STEWART, and DEERWESTER
Appellate Military Judges

UNITED STATES
Appellee

v.

Robert P. BROWN
Master Gunnery Sergeant (E-9), U.S. Marine Corps
Appellant

No. 202000057

Decided: 30 March 2021

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge:
K. Scott Woodard

Sentence adjudged 24 October 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 E-1, confinement for fourteen months,¹ and a bad-conduct discharge.

For Appellant:
Captain Daniel J. McCoy, JAGC, USN

¹ The convening authority suspended confinement in excess of two months pursuant to a plea agreement and disapproved an adjudged letter of reprimand as a matter of clemency.

United States v. Brown, NMCCA No. 202000057
Opinion of the Court

For Appellee:
Lieutenant John L. Flynn, JAGC, USN
Major Kerry E. Friedewald, USMC

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


PER CURIAM:

After careful consideration of the record and briefs of counsel,² 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. Uniform Code of Military Justice arts. 59, 66, 10 U.S.C. §§ 859, 866.

The findings and sentence are **AFFIRMED**.



FOR THE COURT:


RODGER A. DREW, JR.
Clerk of Court

² Appellant raised one assignment of error: that the Government failed to prepare a proper record for appellate review, in that the record did not contain a complete charge sheet. The Court subsequently granted the Government's motion to attach the charge sheet. As the record before the Court is complete, we find the issue moot. See *United States v. Clifton*, 35 M.J. 79 (C.M.A. 1992).