

This opinion is subject to administrative correction before final disposition.

United States Navy - Marine Corps
Court of Criminal Appeals

Before
MONAHAN, STEPHENS, and PENNIX
Appellate Military Judges

UNITED STATES
Appellee

v.

Patrick L. EWING
Sergeant (E-5), U.S. Marine Corps
Appellant

No. 202000024

Decided: 30 March 2021

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge:
Roger Mattioli

Sentence adjudged 15 May 2020 by a special court-martial convened at Marine Corps Base Quantico, Virginia, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-1, confinement for 2 months, and a bad-conduct discharge.

For Appellant:
Commander Eric C. Roper, 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. Ewing, NMCCA No. 202000024
Opinion of the Court

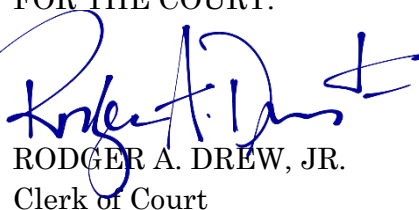
PER CURIAM:

After careful consideration of the record,¹ 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. 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

¹ We note the Convening Authority's Action indicates "No Action." This does not deprive this Court of jurisdiction, and did not, under the circumstances, prejudice Appellant's substantial right to clemency. *See, United States v. Pearson*, ___ M.J. ___, No. 201900314, 2021 CCA LEXIS 130, at *15-19 (N-M. Ct. Crim. App. Mar. 29, 2021).