

This opinion is subject to administrative correction before final disposition.

United States Navy - Marine Corps
Court of Criminal Appeals

Before
STEPHENS, DEERWESTER, and COGLEY
Appellate Military Judges

UNITED STATES
Appellee

v.

David W. MARTINEZ
Machinist's Mate (Nuclear) Second Class (E-5), U.S. Navy
Appellant

No. 202000212

Decided: 31 March 2021

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge:
Kimberly Kelly (arraignment)
Ann K. Minami (trial)

Sentence adjudged 28 May 2020 by a general court-martial convened at Naval Base Kitsap, Washington, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-1, confinement for 16 months, and a bad-conduct discharge.

For Appellant:
Major Brian L. Farrell, USMCR

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. Martinez, NMCCA No. 202000212
Opinion of the Court

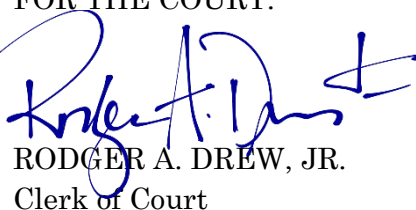
PER CURIAM:

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. 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