

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

United States Navy - Marine Corps  
Court of Criminal Appeals

Before  
GASTON, LAWRENCE, and STEWART  
Appellate Military Judges

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**UNITED STATES**  
*Appellee*

v.

**Daniel J. MILETE**  
Corporal (E-4), U.S. Marine Corps  
*Appellant*

**No. 202000101**

Decided: 5 February 2021

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judges:  
Keaton H. Harrell (arraignment)  
Terrance J. Reese (trial)

Sentence adjudged 16 December 2019 by a general court-martial convened at Camp Lejeune, North Carolina, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-1, confinement for eighteen months, forfeiture of all pay and allowances for eighteen months, and a bad-conduct discharge.

For Appellant:  
*Lieutenant Colonel Michael D. Berry, USMCR*

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

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**This opinion does not serve as binding precedent,  
but may be cited as persuasive authority under  
NMCCA Rule of Practice and Procedure 30.2.**

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PER CURIAM:

After careful consideration of the record, submitted without assignment of error, we have determined that the approved findings and the sentence are correct in law and fact and that there is no error materially prejudicial to Appellant's substantial rights.<sup>1</sup>

The findings 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

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