

This opinion is subject to administrative correction before final disposition.

United States Navy - Marine Corps
Court of Criminal Appeals

Before
GASTON, HOLIFIELD, and HOUTZ
Appellate Military Judges

UNITED STATES
Appellee

v.

Kyle A. OSBORNE
Aviation Electronics Technician Third Class (E-4), U.S. Navy
Appellant

No. 202000267

Decided: 28 April 2021

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge:
Hayes C. Larsen (arraignment)
Andrew E. Carmichael (trial)

Sentence adjudged 28 July 2020 by a general court-martial convened at Naval Station Norfolk, Virginia, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-1, confinement for 45 months, and a dishonorable discharge.

For Appellant:
Captain Thomas P. Belsky, 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).**

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