

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

United States Navy - Marine Corps  
Court of Criminal Appeals

Before  
GASTON, STEWART, and BAKER  
Appellate Military Judges

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**UNITED STATES**  
*Appellee*

v.

**Dominic D. ROSENOW**  
Private First Class (E-2), U.S. Marine Corps  
*Appellant*

**No. 201900099**

Decided: 16 April 2021

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judges:  
John P. Norman (arraignment)  
Jeffrey V. Munoz (trial)

Sentence adjudged 19 November 2018 by a special court-martial convened at Camp Pendleton, California, consisting of a military judge sitting alone. Sentence approved by the convening authority: reduction to E-1, confinement for 12 months,<sup>1</sup> and a bad-conduct discharge.

For Appellant:  
*Lieutenant Commander Christopher K. Riedel, JAGC, USN*

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<sup>1</sup> Pursuant to a pretrial agreement, the convening authority suspended confinement in excess of six months.

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

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

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PER CURIAM:

Appellant was convicted, in accordance with his pleas, of violating a lawful general order, wrongful use of marijuana, larceny, and unlawful entry, in violation of Articles 92, 112a, 121, and 134, Uniform Code of Military Justice [UCMJ] 10 U.S.C. §§ 892, 912a, 921, and 934.

This case is before us a second time. On 21 November 2019 we found error in the convening authority's approval of an adjudged \$2,000 fine in light of the automatic forfeitures imposed under Article 58b, UCMJ, for the approved term of confinement, which we found violated Rule for Courts-Martial 1107(d)(5). After we remanded the case for new post-trial processing, the convening authority took action disapproving the fine, which corrected the matter.

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. UCMJ arts. 59, 66.

The findings and sentence are **AFFIRMED**.



FOR THE COURT:

  
RODGER A. DREW, JR.  
Clerk of Court