

## **Summarized Report of Results of Trial**

### **First Judicial Circuit**

On 01 November 2017, at a general court-martial convened at Fort Drum, New York, SPC Jolten C. Erickson, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of attempted sexual assault of a child and one specification of attempted sexual abuse of a child, in violation of Article 80, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 22 months, and to be discharged from the service with a dishonorable discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 12 months.

On 02 November 2017, at a general court-martial convened at Fort Knox, Kentucky, SFC Rodrigo RiveraGonzalez III, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of assault consummated by a battery and one specification of general disorder, in violation of Articles 128 and 134, UCMJ. The military judge sentenced the accused to be reprimanded and to be reduced to the grade of E-6.

On 06 November 2017, at a general court-martial convened at Fort Drum, New York, SSG Anthony J. McCormack, United States Army, was convicted by a military judge, pursuant to his pleas, of four specifications of indecent visual recording and four specifications of broadcasting an indecent visual recording, in violation of Article 120c, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 48 months, and to be discharged from the service with a dishonorable discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 2 years.

On 15 November 2017, at a general court-martial convened at Fort Campbell, Kentucky, a Staff Sergeant, was acquitted by a military judge, of one specification of sexual abuse of a child, in violation of Article 120b, UCMJ.

On 17 November 2017, at a general court-martial convened at Fort Drum, New York, SPC Robert C. Thole, United States Army, was convicted by a military panel composed of officers and enlisted members, contrary to his pleas, of two specifications of assault consummated by a battery, in violation of Article 128, UCMJ. The accused was acquitted of one specification of sexual assault, in violation of Article 120, UCMJ. The members sentenced the accused to be reduced to the grade of E-1, to forfeit all pay and allowances, to be confined for 7 days, and to be discharged from the service with a bad-conduct discharge.

On 29 November 2017, at a general court-martial convened at Fort Drum, New York, a Specialist, was acquitted by a military judge, of one specification of sexual assault and one specification of abusive sexual contact, in violation of Article 120, UCMJ.

## **Second Judicial Circuit**

On 03 November 2017, at a general court-martial convened at Fort Bragg, North Carolina, SGT Robert B. Bergdahl, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of desertion and one specification of misbehavior before the enemy, in violation of Articles 85 and 99, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit \$1,000.00 pay per month for 10 months, and to be discharged from the service with a dishonorable discharge.

On 08 November 2017, at a special court-martial convened at Fort Stewart, Georgia, PVT Kendrick J. Alverson, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of failure to obey a lawful order, one specification of assault, and one specification of wrongful interference with an adverse administrative proceeding, in violation of Articles 92, 128, and 134, UCMJ. The military judge sentenced the accused to be confined for 10 months and to be discharged from the service with a bad-conduct discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 179 days.

On 09 November 2017, at a general court-martial convened at Fort Benning, Georgia, SGT Berny A. Alexandre, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of absence without leave, one specification of violation of a lawful general regulation, and twenty-two specifications of larceny, in violation of Articles 86, 92, and 121, UCMJ. The military judge sentenced the accused to be confined for 7 months and to be discharged from the service with a bad-conduct discharge.

On 15 November 2017, at a general court-martial convened at Fort Benning, Georgia, SGT Patrick B. Teer, United States Army, was convicted by a military judge, pursuant to his pleas, of six specifications of lewd acts upon a child, two specifications of assault consummated by a battery, five specifications of production of child pornography, two specifications of possession of child pornography, and one specification of indecent language, in violation of Articles 120b, 128, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 9 years, and to be discharged from the service with a dishonorable discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 5 years.

On 17 November 2017, at a general court-martial convened at Fort Gordon, Georgia, a Chief Warrant Officer 2, was acquitted by a military panel composed of officer members, of two specifications of sexual assault, in violation of Article 120, UCMJ.

## **Third Judicial Circuit**

On 01 November 2017, at a special court-martial convened at Fort Sill, Oklahoma, SPC James R. Williams, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of assault and one specification of failure to obey a lawful

regulation, in violation of Articles 92 and 128, UCMJ. The accused was acquitted of one specification of assault consummated by a battery, in violation of Article 128, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-2 and to be confined for 50 days.

On 07 November 2017, at a special court-martial convened at Fort Hood, Texas, PVT Brandon R. Holcomb, United States Army, was convicted by military judge, pursuant to his plea, of one specification of absence without leave, in violation of Article 86, UCMJ. The military judge sentenced the accused to be confined for 12 days and to be discharged from the service with a bad-conduct discharge.

On 10 November 2017, at a general court-martial convened at Fort Hood, Texas, PFC Jeffrey Barrett, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of robbery, in violation of Article 122, UCMJ. The accused was acquitted of one specification of conspiracy to commit robbery, in violation of Article 81, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 16 months, and to be discharged from the service with a dishonorable discharge.

On 20 November 2017, at a general court-martial convened at Fort Polk, Louisiana, PVT Ibn T. Deberry, United States Army, was convicted by a military judge, pursuant to his pleas, of five specifications of wrongful use of a controlled substance, in violation of Article 112a, UCMJ. The military judge sentenced the accused to be confined for 30 days and to be discharged from the service with a bad-conduct discharge.

On 30 November 2017, at a general court-martial convened at Fort Hood, Texas, SFC Carlos E. Barnes, United States Army, was convicted by a panel composed of officers and enlisted members, contrary to his pleas, of two specifications of providing alcohol to a minor, in violation of Article 134, UCMJ. The accused was acquitted of one specification of sexual assault, in violation of Article 120b, UCMJ. The members sentenced the accused to forfeit \$2,194.00 pay per month for 2 months.

#### **Fourth Judicial Circuit**

On 08 November 2017, at a general court-martial convened at Wheeler Army Airfield, Hawaii, a Staff Sergeant, was acquitted by a military panel composed of officers and enlisted members, of one specification of aggravated sexual assault and one specification of aggravated assault, in violation of Articles 120 and 128, UCMJ.

On 09 November 2017, at a general court-martial convened at Joint Base Lewis-McChord, Washington, PVT Pedro I. Cardenas, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of desertion, one specification of flight from apprehension, three specifications of wrongful distribution of a controlled substance, and two specifications of wrongful use of a controlled substance, in violation of Articles 85, 95, and 112a, UCMJ. The military judge

sentenced the accused to be confined for 390 days and to be discharged from the service with a bad-conduct discharge.

On 09 November 2017, at a general court-martial convened at Joint Base Lewis-McChord, Washington, a Specialist, was acquitted by a military panel composed of officers and enlisted members, of one specification of false official statement and two specifications of abusive sexual contact, in violation of Articles 107 and 120, UCMJ.

On 09 November 2017, at a special court-martial convened at Fort Carson, Colorado, PFC Christopher Garza, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of absence without leave, in violation of Article 86, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1 and to be confined for 6 months. As part of an offer to plead guilty, a pretrial agreement limited confinement to 30 days.

On 14 November 2017, at a general court-martial convened at Fort Hood, Texas, SSG Harry T. Smith, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of failure to obey a lawful order, one specification wrongful distribution of a controlled substance, and one specification of driving away from a military access control point without the proper clearance, in violation of Articles 92, 112a, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 11 months, and to be discharged from the service with a bad-conduct discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 8 months.

On 15 November 2017, at a general court-martial convened at Fort Huachuca, Arizona, PVT Edwin S. Ojeda, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of absence without leave, four specifications of willfully disobeying a superior commissioned officer, one specification of willfully disobeying a noncommissioned officer, four specifications of failure to obey a lawful order, one specification of violation of a general regulation, one specification of wrongful use of a controlled substance, one specification of wrongful distribution of a controlled substance, one specification of adultery, and one specification of wrongful distribution of a drug not intended for its purpose, in violation of Articles 86, 90, 91, 92, 112a, and 134, UCMJ. The military judge sentenced the accused to be confined for 9 months and to be discharged from the service with a bad-conduct discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 6 months.

On 20 November 2017, at a special court-martial convened at Camp Casey, Korea, SFC Jaime Soto, was convicted by a military judge, contrary to his pleas, of one specification of disrespect toward a superior commissioned officer, one specification of assault of a superior commissioned officer, one specification of assault of a superior noncommissioned officer, two specifications of assault consummated by a battery, and one specification of drunk and disorderly conduct, in violation of Articles 89, 90, 91, 128, and 134, UCMJ. The accused was acquitted of one specification of abusive sexual

contact, in violation of Article 120, UCMJ. The military judge sentence the accused to be reprimanded and to be reduced to the grade of E-6.

On 21 November 2017, at a general court-martial convened at Fort Carson, Colorado, SSG Aaron W. Wilson, United States Army (Retired), was convicted by a military judge, pursuant to his pleas, of one specification of aggravated sexual contact with a child and one specification of sodomy of a child, in violation of Articles 120 and 125, UCMJ. The military judge sentenced the accused to be confined for 20 years and to be discharged from the service with a dishonorable discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 17 years.

On 21 November 2017, at a special court-martial convened at Fort Bliss, Texas, SPC Matthew X. Guerrero, United States Army, was convicted by a military panel composed of officers and enlisted members, contrary to his plea, of one specification of wrongful use of a controlled substance, in violation of Article 112a, UCMJ. The members sentenced the accused to be reduced to the grade of E-1, to perform hard labor without confinement for 45 days, and to be discharged from the service with a bad-conduct discharge.

On 29 November 2017, at a general court-martial convened at Joint Base Lewis-McChord, Washington, PFC Michael W. Sifre, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of solicitation to rape a child and one specification of indecent language, in violation of Articles 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit all pay and allowances, to be confined for 14 months, and to be discharged from the service with a bad-conduct discharge. As part of an offer to plead guilty, a pretrial agreement limited confinement to 8 months.

On 30 November 2017, at a special court-martial convened at Fort Carson, Colorado, SPC Xavier S. Williams, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of absence without leave, in violation of Article 86, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit \$1,543.00 pay per month for two months, to be confined for 25 days, and to be discharged from the service with a bad-conduct discharge.

On 30 November 2017, at a special court-martial convened at Wheeler Army Airfield, Hawaii, SPC Kirk M. Giese, United States Army, was convicted by a military panel composed of officers and enlisted members, contrary to his pleas, of one specification of assault consummated by a battery, in violation of Article 128, UCMJ. The accused was acquitted of two specifications of assault consummated by a battery and one specification of communicating a threat, in violation of Articles 128 and 134, UCMJ. The members sentenced the accused to be reduced to the grade of E-3.

## **Fifth Judicial Circuit**

On 03 November 2017, at a general court-martial convened at Vicenza, Italy, SGT Otis R. Brinkley, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of false official statement and one specification of fraud against the United States, in violation of Articles 107 and 132, UCMJ. The accused was acquitted of two specifications of false official statement and one specification of larceny of government property, in violation of Articles 107 and 121, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-2, to forfeit \$1,000.00 pay per month for 2 months, and to be confined for 60 days.

On 08 November 2017, at a general court-martial convened at Vilseck, Germany, a Private First Class, was acquitted by a military panel composed of officers and enlisted members, of one specification of false official statements, two specifications of sexual assault, and one specification of adultery, in violation of Articles 107, 120, and 134, UCMJ.

On 14 November 2017, at a general court-martial convened at Kleber Kaserne, Germany, SGT Matthew S. Webber, United States Army, was convicted by a military panel composed of officers and enlisted members, contrary to his plea, of one specification of adultery, in violation of Article 134, UCMJ. The accused was acquitted of one specification of sexual assault and one specification of aggravated sexual contact, in violation of Article 120, UCMJ. The members sentenced the accused to forfeit \$1,526.00 pay per month for 2 months and to perform hard labor without confinement for 30 days.

On 16 November 2017, at a general court-martial convened at Vicenza, Italy, a Specialist, was acquitted by a military panel composed of officers and enlisted members, of two specifications of sexual assault, in violation of Article 120, UCMJ.

On 20 November 2017, at a general court-martial convened at Vicenza, Italy, a Staff Sergeant, was acquitted by a military panel composed of officers and enlisted members, of one specification of attempted violation of a lawful general regulation, one specification of maltreatment, two specifications of abusive sexual contact, two specifications of assault consummated by a battery, and one specification of disorderly conduct in violation of Articles 80, 93, 120, 128, and 134, UCMJ.

On 22 November 2017, at a general court-martial convened at Kaiserslautern, Germany, PVT Ricky R. Dudley, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of wrongful use of a controlled substance, one specification of wrongful introduction of a controlled substance, one specification of wrongful distribution of a controlled substance, and one specification of indecent conduct, in violation of Articles 112a and 134, UCMJ. The military judge sentenced the accused to forfeit \$800.00 pay per month for 11 months and to be confined for 11 months. As part of an offer to plead guilty, confinement was limited to 180 days.

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