

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

### **First Judicial Circuit**

On 20 July 2016, at a general court-martial convened at Fort Campbell, Kentucky, CPT Adam J. Myer, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of sexual assault, two specifications of assault consummated by a battery, two specifications of assault consummated by a battery on a child, and two specifications of conduct unbecoming of an officer and gentleman in violation of Articles 120, 128, and 133, UCMJ. The accused was acquitted of two specifications disobeying a lawful order in violation of Article 90, UCMJ. The military judge sentenced the accused to be confined for 8 years and to be dismissed from the service.

On 21 July 2016, at a special court-martial convened at Fort Drum, New York, SPC Clyde E. Taylor Jr., United States Army, was convicted by a military judge, pursuant to his pleas, of three specifications of desertion terminated by apprehension and one specification of absence without leave in violation of Articles 85 and 86, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 90 days, and to be discharged from the service with a bad-conduct discharge.

On 21 July 2016, at a special court-martial convened at Fort Lesley J. McNair, District of Columbia, SSG Jose A. Rodriguez, United States Army, was convicted by a military panel composed of officer members, contrary to his pleas, of one specification of fraudulent enlistment and one specification of false official statement in violation of Articles 83 and 107, UCMJ. The accused was acquitted of one specification of disrespect toward a superior noncommissioned officer and two specifications of false official statement in violation of Articles 91 and 107, UCMJ. The members sentenced the accused to be reprimanded and to be reduced to the grade of E-4.

On 26 July 2016, at a general court-martial convened at Fort Campbell, Kentucky, SGT Daimon C. Wear, United States Army, was convicted by a military judge, contrary to his pleas, of two specifications of assault consummated by a battery, three specifications of aggravated assault, two specifications of disobeying a lawful order, and two specifications of obstructing justice in violation of Articles 90, 128, and 134, UCMJ. The accused was acquitted of one specification of assault consummated by a battery and one specification of aggravated assault in violation of Article 128, UCMJ. The military judge sentenced the accused to be confined for 4 years and to be separated from the service with a dishonorable discharge.

### **Second Judicial Circuit**

On 06 July 2016, at a general court-martial convened at Fort Bragg, North Carolina, SSG Rex A. Wilhite, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of sexual assault of a child, three specifications of sexual abuse of a child, one specification of producing child pornography, and two

specifications of possessing child pornography in violation of Articles 120b and 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 37 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 30 years.

On 14 July 2016, at a general court-martial convened at Fort Stewart, Georgia, SPC Cornelius D. Bailey, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of sexual assault in violation of Article 120, UCMJ. The military judge sentenced the accused to be confined for 18 months and to be discharged from the service with a dishonorable discharge.

On 15 July 2016, at a general court-martial convened at Fort Jackson, South Carolina, SGT Franklin Hernandez, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of disobeying a lawful order and one specification of assault consummated by a battery in violation of Articles 92 and 128, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1 and to forfeit \$500.00 pay per month for 4 months.

On 18 July 2016, at a general court-martial convened at Fort Benning, Georgia, SGT James D. Leggett Jr., United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of abusive sexual contact, one specification of wrongfully photographing the private area of a Soldier without her consent, one specification of wrongfully broadcasting a recording of the private area of a Soldier recorded without her consent, one specification of assault, and one specification of assault consummated by a battery in violation of Articles 120, 120c, and 128, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 9 months, and to be discharged from the service with a bad-conduct discharge.

### **Third Judicial Circuit**

On 12 July 2016, at a special court-martial convened at Fort Riley, Kansas, a Specialist was acquitted by a military panel composed of officer and enlisted members of one specification of abusive sexual contact in violation of Article 120, UCMJ.

On 14 July 2016, at a general court-martial convened at Fort Riley, Kansas, a Specialist was acquitted by a military judge of one specification of insubordinate conduct toward a noncommissioned officer, one specification of sexual assault, and one specification of forcible sodomy in violation of Articles 91, 120, and 125, UCMJ.

On 15 July 2016, at a general court-martial convened at Fort Polk, Louisiana, SSG Anya M. Ashley, United States Army, was convicted by a military judge, pursuant to her pleas, of one specification of disobeying a general regulation and one specification of false official statement in violation of Articles 92 and 107, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-4, to be restricted to the limits of

duty assignment, housing, place of worship, post exchange, and commissary for 2 months, and to perform hard labor without confinement for 3 months.

On 21 July 2016, at a general court-martial convened at Fort Hood, Texas, MSG Sean B. Nelson, United States Army, was convicted by a military panel composed of officers and enlisted members of one specification of conspiracy and one specification of larceny of military property in violation of Articles 81 and 121, UCMJ. The accused was acquitted of one specification of false official statement in violation of Article 107, UCMJ. The members sentenced the accused to be reduced to the grade of E-6 and to be confined for 30 days.

#### **Fourth Judicial Circuit**

On 05 July 2016, at a special court-martial convened at Fort Bliss, Texas, SSG Glen L. Farmer Jr., United States Army, was convicted by a military judge, pursuant to his plea, of one specification of disobeying a commissioned officer in violation of Article 90, UCMJ. The accused was acquitted of one specification of aggravated assault in violation of Article 128, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-5 and to forfeit \$1,000 pay per month for 1 month.

On 06 July 2016, at a general court-martial convened at Wheeler Army Airfield, Hawaii, a Master Sergeant was acquitted by a military judge of two specifications of sexual assault in violation of Article 120, UCMJ.

On 08 July 2016, at a general court-martial convened at Joint Base Lewis-McChord, Washington, SPC Aaron J. Wortham, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiracy, six specifications of wrongful disposition of government property, and five specifications of larceny of government property in violation of Article 81, 108, and 121, UCMJ. The military judge sentenced the accused to be reduced to the grade E-1, to be confined for 10 months, and to be discharged from the service with a bad-conduct discharge.

On 08 July 2016, at a general court-martial convened at Fort Wainwright, Alaska, SGT Leroy Straker Jr., United States Army, was convicted by a military judge, contrary to his pleas, of one specification of conspiracy and one specification of procuring an act of prostitution in violation of Articles 81 and 134, UCMJ. The accused was acquitted of one specification of disobeying a lawful order, one specification of breach of peace, one specification of aggravated assault with a dangerous weapon, one specification of patronizing a prostitute, one specification of procuring an act of prostitution, two specifications of enticing an act of prostitution, and one specification of negligent discharge of a firearm in violation of Articles 92, 116, 128, and 134, UCMJ. The military judge sentenced the accused be reduced to the grade of E-1, to be confined for 8 months, and to be discharged from the service with a bad-conduct discharge.

On 11 July 2016, at a general court-martial convened at Wheeler Army Airfield, Hawaii, 1LT Harrison W. Gardner, United States Army, was convicted by a military judge,

pursuant to his pleas, of five specifications of wrongfully using marijuana, two specifications of wrongfully distributing marijuana, and one specification of wrongfully possessing marijuana with intent to distribute in violation of Article 112a, UCMJ. The military judge sentenced the accused to be confined for 13 months and to be dismissed from the service. As part of an offer to plead guilty, a pretrial agreement limited confinement to 10 months.

On 12 July 2016, at a general court-martial convened at Fort Bliss, Texas, SPC Felix M. Quinones, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of possessing child pornography in violation of Article 134, UCMJ. The military judge sentenced the accused to be reduced to the grade to E-1, to forfeit all pay and allowances, to be confined for 20 months, and to be separated from the service with a dishonorable discharge.

On 14 July 2016, at a general court-martial convened at Wheeler Army Airfield, Hawaii, SPC Ladonte A. Smith, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of aggravated assault in violation of Article 128, UCMJ. Contrary to his pleas, the accused was convicted of one specification of assault, four specifications of assault consummated by a battery, and one specification of communicating a threat in violation of Articles 128 and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 14 months, and to be discharged from the service with a bad-conduct discharge.

On 15 July 2016, at a special court-martial convened at Fort Wainwright, Alaska, a Staff Sergeant was acquitted by a military panel composed of officer and enlisted members of one specification of cruelty and maltreatment in violation of Article 93, UCMJ.

On 15 July 2016, at a special court-martial convened at Camp Zama, Japan, a Sergeant First Class was acquitted by a military panel composed of officer and enlisted members of one specification of false official statement and one specification of larceny of military property in violation of Articles 107 and 121, UCMJ.

On 20 July 2016, at a special court-martial convened at Joint Base Lewis-McChord, Washington, SFC Christopher L. Newcomb, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of wrongfully using marijuana in violation of Article 112a, UCMJ. Contrary to his plea, the accused was convicted of one specification of absence without leave in violation of Article 86, UCMJ. The accused was acquitted of one specification of wrongfully possessing marijuana and one specification of endangering the welfare of a child in violation of Articles 112a and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-5.

On 27 July 2016, at a general court-martial convened at Wheeler Army Airfield, Hawaii, SGT Andre L. Holley, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of attempted sexual assault of a child and four specifications of sexual abuse of a child in violation of Articles 80 and 120b, UCMJ.

The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 32 months, and to be dishonorably discharged from the service.

On 28 July 2016, at a special court-martial convened at United States Army Garrison-Yongsan, Republic of Korea, SGM Harry C. Cleveland, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of violating of a general regulation, one specification of false official statement, and one specification of adultery in violation of Articles 92, 107, and 134, UCMJ. The military judge sentenced the accused to be reprimanded, to be reduced to the grade of E-7, and to forfeit \$2,000 per month for 5 months.

On 29 July 2016, at a general court-martial convened at Fort Bliss, Texas, SPC Luke D. English, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of attempted rape, one specification of sexual assault, four specifications of rape, six specifications of assault consummated by a battery, one specification of kidnapping, one specification of communicating a threat, and two specifications of obstructing justice in violation of Articles 80, 120, 128, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 23 years, and to be discharged from the service with a dishonorable discharge.

On 30 July 2016, at a general court-martial convened at Wheeler Army Airfield, Hawaii, SGT Michael G. Walker, United States Army, was convicted by a military judge, pursuant to his pleas, of three specifications of soliciting another to engage in prostitution in violation of Article 134, UCMJ. Contrary to his plea, the accused was found guilty of possessing child pornography in violation of Article 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 27 months, and to be discharged from the service with a dishonorable discharge.

### **Fifth Judicial Circuit**

On 06 July 2016, at a general court-martial convened at Stuttgart, Germany, SSG Marcelino Trejo, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of false official statement and one specification of sexual assault in violation of Articles 107 and 120, UCMJ. The military judge sentenced the accused to be confined for 12 months and to be separated from the service with a dishonorable discharge.

On 14 July 2016, at a general court-martial convened at Rose Barracks, Vilseck, Germany, SPC Keewan D. Tyson, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of damaging military property, one specification of assault consummated by a battery on a child, and five specifications of assault consummated by a battery in violation of Articles 108 and 128, UCMJ. The military judge sentenced the accused to be confined for 14 months and to be discharged from the service with a bad-conduct discharge.

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