

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

### **First Judicial Circuit**

On 12 October 2016, at a special court-martial convened at Fort Lesley J. McNair, Washington D.C., SPC Jose L. Luna, United States Army, was convicted by a military judge, pursuant to his pleas, of eight specifications of larceny and one specification of forgery in violation of Articles 121 and 123, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 3 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 45 days.

On 13 October 2016, at a special court-martial convened at Fort Drum, New York, SPC Timothy J. Bailey, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of selling military property and one specification of larceny of military property in violation of Articles 108 and 121, UCMJ. The accused was acquitted of two specifications of conspiring to sell military property. The military judge sentenced the accused to be reprimanded, to be reduced to the grade of E-1, to forfeit \$800.00 pay per month for 1 month, and to perform hard labor without confinement for 60 days.

On 17 October 2016, at a special court-martial convened at Fort Campbell, Kentucky, SPC Lance K. Peoples, 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, to be confined for 65 days, and to be discharged from the service with a bad-conduct discharge.

On 18 October 2016, at a general court-martial convened at Fort Campbell, Kentucky, SGT Payton K. Cork, United States Army, was convicted by a military judge, pursuant to his pleas, of three specifications of rape of a child and eight specifications of sexual abuse of a child in violation of Article 120b, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 40 years, and to be discharged from the service with a dishonorable discharge.

On 21 October 2016, at a general court-martial convened at Fort Drum, New York, PV2 Robert J. Madrigal, 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 reduced to the grade of E-1, to be confined for 42 months, and to be discharged from the service with a dishonorable discharge.

On 24 October 2016, at a general court-martial convened at Fort Lesley J. McNair, Washington D.C., COL Robert J. Rice, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of possession of child pornography and one specification of distribution of child pornography in violation of Article 134,

UCMJ. The military judge sentenced the accused to be confined for 5 years and to be dismissed from the service. As part of an offer to plead guilty, a pretrial agreement limited confinement to 4 years.

On 27 October 2016, at a general court-martial convened at Fort Drum, New York, SPC Francis L. Brunetta, United States Army, was convicted by a military judge, contrary to his pleas, of three specifications of sexual assault in violation of Article 120, UCMJ. The accused was acquitted of one specification of rape in violation of Article 120, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 78 months, and to be discharged from the service with a dishonorable discharge.

### **Second Judicial Circuit**

On 06 October 2016, at a general court-martial convened at Fort Rucker, Alabama, CPT Kevin W. Beer, United States Army, was convicted by a military panel composed of officer members, contrary to his pleas, of one specification of false official statement, two specifications of larceny of military property, and one specification of conduct unbecoming an officer in violation of Articles 107, 121, and 133, UCMJ. The accused was acquitted of one specification of conduct unbecoming an officer in violation of Article 133, UCMJ. The members sentenced the accused to pay a fine of \$20,000.00 and to be dismissed from the service.

On 11 October 2016, at a general court-martial convened at Fort Benning, Georgia, SPC Treas R. Schell, 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-3 and to be confined for 90 days.

On 13 October 2016, at a general court-martial convened at Fort Bragg, North Carolina, a Specialist was acquitted by a military judge of two specifications of sexual assault, one specification of abusive sexual contact, and one specification of assault consummated by a battery in violation of Articles 120 and 128, UCMJ.

On 19 October 2016, at a special court-martial convened at Fort Bragg, North Carolina, PFC Kevin M. Sargent, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of desertion in violation of Article 85, 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 desertion in violation of Article 85, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 100 days, and to be discharged from the service with a bad-conduct discharge.

On 19 October 2016, at a general court-martial convened at Fort Stewart, Georgia, SPC Paul J. Parreault, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of distributing child pornography in violation of Article 134,

UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 18 months, and to be discharged from the service with a bad-conduct discharge.

On 21 October 2016, at a special court-martial convened at Fort Gordon, Georgia, SGT Mark A. Fullwood, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of larceny, one specification of assault consummated by a battery upon a child, one specification of fraud against the United States, and one specification of adultery in violation of Articles 121, 128, 132, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit \$1,044.00 pay per month for 4 months, to be confined for 4 months, and to be discharged from the service with a bad-conduct discharge.

On 25 October 2016, at a general court-martial convened at Fort Gordon, Georgia, SGT Joshua P. Corriher, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of disobeying a lawful order, one specification of destruction of military property, two specifications of assault consummated by a battery, one specification of aggravated assault, and one specification of conduct prejudicial to good order and discipline in violation of Articles 92, 108, 128, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit all pay and allowances, and to be confined for 5 months. As part of an offer to plead guilty, a pretrial agreement limited confinement to 120 days.

On 28 October 2016, at a general court-martial convened at Fort Bragg, North Carolina, SGT Mckinley P. Armour, United States Army, was convicted by a military judge, contrary to his plea, of one specification of abusive sexual contact in violation of Article 120, UCMJ. The accused was acquitted of one specification of sexual assault in violation of Article 120, UCMJ. The military judge sentenced the accused to be confined for 12 months and to be discharged from the service with a bad-conduct discharge.

On 28 October 2016, at a general court-martial convened at Fort Bragg, North Carolina, SPC Marco A. Reyes, United States Army, was convicted by a military judge, contrary to his pleas, of two specifications of conspiring to obstruct justice, one specification of disobeying a commissioned officer, one specification of rape, four specifications of sexual assault, one specification of wrongful appropriation, one specification of larceny, two specifications of assault consummated by a battery, three specifications of adultery, and three specifications of obstructing justice in violation of Articles 81, 90, 120, 121, 128, and 134, UCMJ. The accused was acquitted of two specifications of conspiring to obstruct justice, three specifications of rape, one specification of larceny, three specifications of assault consummated by a battery, three specifications of obstructing justice, and one specification of conduct prejudicial to good order and discipline in violation of Articles 80, 120, 121, 128, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 13 years, and to be discharged from the service with a dishonorable discharge.

### **Third Judicial Circuit**

On 04 October 2016, at a special court-martial convened at Fort Leonard Wood, Missouri, PFC Allen M. McCarthy, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of maiming and one specification of drunk and disorderly conduct in violation of Articles 124 and 134, UCMJ. The military judge sentenced the accused to be confined for 100 days and to be discharged from the service with a bad-conduct discharge.

On 04 October 2016, at a general court-martial convened at Fort Hood, Texas, SPC Billy R. Simms Jr., United States Army, was convicted by a military judge, pursuant to his plea, of one specification of larceny of military property in violation of Article 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. As part of an offer to plead guilty, a pretrial agreement limited confinement to 6 months.

On 06 October 2016, at a special court-martial convened at Fort Hood, Texas, PVT Carlos E. Torres, United States Army, was convicted by a military judge, pursuant to his pleas, of three specifications of desertion in violation of Article 85, UCMJ. The military judge sentenced the accused to be confined for 120 days and to be discharged from the service with a bad-conduct discharge.

On 06 October 2016, at a special court-martial convened at Fort Hood, Texas, a Staff Sergeant was acquitted by a military panel composed of officer and enlisted members of one specification of assault consummated by a battery upon a child, one specification of child endangerment, and one specification of obstructing justice in violation of Articles 128 and 134, UCMJ.

On 18 October 2016, at a general court-martial convened at Fort Riley, Kansas, SPC Myron N. Askoar, United States Army, was convicted by a military judge, contrary to his plea, of one specification of assault consummated by a battery in violation of Article 128, UCMJ. The accused was acquitted of two specifications of sexual assault, one specification of assault consummated by a battery, one specification of aggravated assault, and one specification of kidnapping in violation of Articles 120, 128, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1 and to be confined for 75 days.

On 19 October 2016, at a general court-martial convened at Fort Polk, Louisiana, SPC Victor J. Fernandez, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of attempted rape of a child, one specification of desertion, two specifications of rape of a child, and one specification of sexual abuse of a child in violation of Articles 80, 85, and 120b, UCMJ. The military judge sentenced the accused to be confined for 19 years and to be discharged from the service with a dishonorable discharge.

On 20 October 2016, at a special court-martial convened at Fort Leonard Wood, Missouri, PV2 Cody R. Ball, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of disobeying a noncommissioned officer, one specification of behaving disrespectfully toward a noncommissioned officer, three specifications of assault upon a law enforcement officer, and one specification of drunk and disorderly conduct in violation of Articles 91, 128, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 45 days, and to be discharged from the service with a bad-conduct discharge.

On 21 October 2016, at a special court-martial convened at Fort Hood, Texas, PFC Brian J. Francis, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of desertion in violation of Article 85, UCMJ. The military judge sentenced the accused to be confined for 100 days 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 45 days.

On 21 October 2016, at a general court-martial convened at Fort Hood, Texas, SPC Erick A. Navarro, United States Army, was convicted by a military panel composed of officer members, contrary to his pleas, of one specification of sexual assault in violation of Article 120, UCMJ. The accused was acquitted of one specification of false official statement in violation of Article 107, UCMJ. The panel sentenced the accused to be reduced to the grade of E-1, to forfeit all pay and allowances, to be confined for 3 years, and to be discharged from the service with a dishonorable discharge.

On 21 October 2016, at a general court-martial convened at Fort Sill, Oklahoma, a Chief Warrant Officer 3 was acquitted by a military judge of two specifications of sexual assault and one specification of abusive sexual contact in violation of Article 120, UCMJ.

On 25 October 2016, at a general court-martial convened at Fort Hood, Texas, SPC Xavier D. Bennett, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of rape and one specification of abusive sexual contact in violation of Article 120, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 66 months, and to be discharged from the service with a dishonorable discharge.

#### **Fourth Judicial Circuit**

On 04 October 2016, at a special court-martial convened at Fort Carson, Colorado, SFC Philip S. Serros, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of disobeying a lawful order, one specification of drunk on duty, and one specification of drunken incapacitation for the performance of duties through prior wrongful indulgence in intoxicating liquor in violation of Articles 90, 112, and 134, UCMJ. The military judge sentenced the accused to be reprimanded and to be confined for 3 months.

On 05 October 2016, at a general court-martial convened at Wheeler Army Airfield, Hawaii, SPC Noricole Y. Hanson, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of attempted larceny, one specification of absence without leave, one specification of using disrespectful language toward a noncommissioned officer, one specification of behaving disrespectfully toward a commissioned officer, one specification of disobeying a commissioned officer, one specification of fleeing apprehension, one specification of resisting apprehension, two specifications of wrongfully using controlled substances, nine specifications of larceny, and one specification of child endangerment in violation of Articles 80, 86, 89, 90, 91, 95, 112a, 121, and 134, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 21 months, and to be discharged from the service with a bad-conduct discharge.

On 06 October 2016, at a general court-martial convened at United States Army Garrison-Yongsan, Republic of Korea, SGT David McHugh, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of dereliction of duty, two specifications of rape, two specifications of assault consummated by a battery, one specification of adultery, and one specification of conduct prejudicial to good order and discipline in violation of Articles 92, 120, 128, and 134, UCMJ. The accused was acquitted of one specification of violating a general regulation, two specifications of assault, and one specification of solicitation in violation of Articles 92, 128, 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 5 years, and to be discharged from the service with a dishonorable discharge.

On 06 October 2016, at a general court-martial convened at Fort Wainwright, Alaska, a Specialist was acquitted by a military judge of four specifications of aggravated assault upon a child, one specification of child endangerment resulting in grievous bodily harm, and one specification of child endangerment resulting in harm in violation of Articles 128 and 134, UCMJ.

On 07 October 2016, at a special court-martial convened at Wheeler Army Airfield, Hawaii, SPC Kirk A. Bradley, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of conspiring to commit larceny, one specification of false official statement, one specification of larceny, and one specification of housebreaking in violation of Articles 81, 107, 121, and 130, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit \$1,500.00 pay per month for 3 months, to be confined for 3 months, and to be discharged from the service with a bad-conduct discharge.

On 12 October 2016, at a special court-martial convened at Joint Base Lewis-McChord, Washington, SFC Robert L. Hicks, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of assault in violation of Article 128, UCMJ. The military judge sentenced the accused to be reprimanded and to forfeit \$400.00 pay per month for 3 months.

On 12 October 2016, at a special court-martial convened at Wheeler Army Airfield, Hawaii, a Specialist was acquitted by a military panel composed of officer and enlisted members of one specification of conspiring to commit larceny, one specification of larceny, and one specification of housebreaking in violation of Articles 81, 121, and 130, UCMJ.

On 13 October 2016, at a general court-martial convened at Fort Huachuca, Arizona, PV1 Jeffrey Averett, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of disobeying a commissioned officer and nine specifications of wrongfully using of a controlled substance in violation of Articles 90 and 112a, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 7 months, and to be discharged from the service with a bad-conduct discharge.

On 14 October 2016, at a general court-martial convened at United States Army Garrison-Yongsan, Republic of Korea, a Private First Class was acquitted by a military judge of one specification of possession of alcohol under the age of 21, one specification of wrongfully using a controlled substance, one specification of possessing a controlled substance with intent to distribute, and one specification of introducing a controlled substance onto a military installation with intent to distribute in violation of Articles 92 and 112a, UCMJ.

On 14 October 2016, at a special court-martial convened at Wheeler Army Airfield, Hawaii, PFC Isaac F. Jenkins, United States Army, was convicted by a military panel composed of officer and enlisted members, contrary to his pleas, of one specification of conspiring to commit larceny in violation of Article 81, UCMJ. The accused was acquitted of one specification of larceny and one specification of housebreaking in violation of Articles 121 and 130, UCMJ. The members sentenced the accused to be reprimanded, to be reduced to the grade of E-1, and to perform 45 days of hard labor without confinement.

On 18 October 2016, at a general court-martial convened at Joint Base Lewis-McChord, Washington, a Sergeant was acquitted by a military panel composed of officer and enlisted members of two specifications of assault consummated by a battery in violation of Article 128, UCMJ.

On 19 October 2016, at a special court-martial convened at Fort Carson, Colorado, PFC Joseph M. Radakovitz, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of absence without leave with intent to avoid field exercises and three specifications of missing movement by design in violation of Articles 86 and 87, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 3 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 45 days.

On 19 October 2016, at a general court-martial convened at Joint Base Lewis-McChord, Washington, SGT George A. Mafnas, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of assault consummated by a battery upon a child in violation of Article 128 UCMJ. The military judge sentenced the accused to be reduced to the grade of E-4 and to be confined for 3 months.

On 19 October 2016, at a general court-martial convened at Fort Bliss, Texas, a Captain was acquitted by a military panel composed of officer members of one specification of rape and one specification of aggravated sexual assault in violation of Article 120, UCMJ.

On 20 October 2016, at a general court-martial convened at Fort Carson, Colorado, PFC Maranatha Leifi, United States Army, was convicted by a military judge, pursuant to her plea, of one specification of absence without leave in violation of Article 86, UCMJ. The military judge sentenced the accused to be discharged from the service with a bad-conduct discharge.

On 21 October 2016, at a special court-martial convened at Joint Base Lewis-McChord, Washington, PVT Nicholas L. Rimmer, United States Army, was convicted by a military judge, pursuant to his pleas, of three specifications of absence without leave in violation of Article 86, UCMJ. The military judge sentenced the accused to be confined for 80 days and to be discharged from the service with a bad-conduct discharge.

On 21 October 2016, at a general court-martial convened at Joint Base Lewis-McChord, Washington, SPC Keimara N. Brooks, United States Army, was convicted by a military judge, pursuant to her pleas, of one specification of conspiring to distribute a controlled substance, one specification of false official statement, one specification of introducing a controlled substance onto a military installation with intent to distribute, and one specification of distributing a controlled substance in violation of Article 81, 107, and 112a, UCMJ. The military judge sentenced the accused to 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. As part of an offer to plead guilty, a pretrial agreement limited confinement to 179 days.

On 25 October 2016, at a general court-martial convened at Fort Huachuca, Arizona, PFC Kyle G. Williams, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of absence without leave, one specification of disobeying a lawful order, five specifications of wrongfully using a controlled substance, and six specifications of distributing a controlled substance in violation of Articles 86, 92, and 112a, 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 15 months, and to be discharged from the service with a bad-conduct discharge.

On 26 October 2016, at a special court-martial convened at Wheeler Army Airfield, Hawaii, SFC Sesireehana A. Brunton, United States Army, was convicted by a military panel composed of officer and enlisted members, contrary to her pleas, of one



specification of conspiring to commit larceny, one specification of larceny, and two specifications of false official statement in violation of Articles 81, 121, and 107, 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 reprimanded, to be reduced to the grade of E-6, and to perform hard labor without confinement for 90 days.

On 27 October 2016, at a special court-martial convened at Fort Bliss, Texas, PV2 Kyle J. Collins, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of larceny, one specification of wrongful appropriation, and one specification of housebreaking in violation of Articles 121 and 130, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 3 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 60 days.

On 27 October 2016, at a special court-martial convened at Joint Base Elmendorf-Richardson, Alaska, a Sergeant was acquitted by a military judge of one specification of wrongful use of a controlled substance in violation of Article 112a, UCMJ.

#### **Fifth Judicial Circuit**

On 07 October 2016, at a general court-martial convened at Kaiserslautern, Germany, SFC Michael C. Graves, United States Army, was convicted by a panel composed of officer and enlisted members, contrary to his pleas, of one specification of wrongfully recording the private area of another without consent and one specification of patronizing a prostitute in violation of Articles 120c and 134, UCMJ. The accused was acquitted of two specifications of sexual assault and one specification wrongfully recording the private area of another without consent in violation of Articles 120c and 134, UCMJ. The members sentenced the accused to be reduced to the grade of E-4, to be reprimanded, and to be confined for 30 days.

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