

August 2022

Summarized Report of Results of Trial

NOTICE

Starting 15 September 2022, the Army will publish monthly court-martial results to the U.S. Army Court-Martial Public Record System, a public website at <https://www.jagcnet.army.mil/ACMPRS>. The Army will no longer post consolidated court-martial results to the Army FOIA Reading Room after December 2022.

First Judicial Circuit

On 11 August 2022, at a general court-martial convened at Fort Drum, New York, a Sergeant First Class, United States Army, was acquitted by a military panel composed of officer and enlisted members of two specifications of sexual assault in violation of Article 120, UCMJ.

On 16 August 2022, at a general court-martial convened at Fort Campbell, Kentucky, SPC Marquis Jackson, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of failure to obey a lawful order and one specification of battery upon a spouse 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 be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 23 August 2022, at a special court-martial convened at Fort Lee, Virginia, SSG Hunter L. Wemmering, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of failure to obey a lawful general regulation and one specification of prohibited activities with a military recruit or trainee by a person in a position of special trust in violation of Articles 92 and 93a, UCMJ. The accused was acquitted of one specification of obstructing justice in violation of Article 131b, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-4 and to be confined for 14 days. The sentence was consistent with the terms of a plea agreement.

On 24 August 2022, at a general court-martial convened at Fort Drum, New York, a Private First Class, United States Army, was acquitted by a military panel composed of officer and enlisted members of one specification of sexual assault in violation of Article 120, UCMJ.

On 31 August 2022, at a general court-martial convened at Fort Lee, Virginia, PV1 Keith Lee, Jr., United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of assault consummated by a battery and three specifications of aggravated assault with a deadly weapon in violation of Article 128, UCMJ. The accused was acquitted of one specification of malingering, one specification of disrespect toward a noncommissioned officer, and one specification of conduct prejudicial to good order and discipline in violation of Articles 83, 91, and 134, UCMJ. The military judge sentenced the accused to be confined for 425 days and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

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Second Judicial Circuit

On 3 August 2022, at a general court-martial convened at Fort Bragg, North Carolina, SPC Joshua Curry, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of failure to obey a lawful order and one specification of dereliction of duty in violation of Article 92, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-3 and to be confined for 10 days.

On 3 August 2022, at a general court-martial convened at Fort Stewart, Georgia, a Staff Sergeant, United States Army, was acquitted by a military panel composed of officer and enlisted members of one specification of larceny in violation of Article 121, UCMJ.

On 10 August 2022, at a general court-martial convened at Fort Stewart, Georgia, a First Lieutenant, United States Army, was acquitted by a military judge of two specifications of sexual assault in violation of Article 120, UCMJ.

On 11 August 2022, at a special court-martial convened at Fort Stewart, Georgia, a Specialist, United States Army, was acquitted of one specification of physically controlling a vehicle while drunk in violation of Article 113, UCMJ.

On 11 August 2022, at a general court-martial convened at Fort Benning, Georgia, PFC Tyler A. Cunningham, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of assault consummated by a battery upon a spouse in violation of Article 128, UCMJ. The military judge sentenced the accused to be confined for 60 days and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 24 August 2022, at a general court-martial convened at Fort Bragg, North Carolina, SPC Tatem T. Resutek, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of failure to go to his appointed place of duty, one specification of absence from his unit, one specification of failure to obey a lawful order, one specification of desertion, one specification of wrongful use of a controlled substance, and three specifications of making checks with intent to defraud in violation of Articles 86, 92, 85, 112a, and 123a, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 185 days and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 25 August 2022, at a general court-martial convened at Fort Stewart, Georgia, SPC Rodrigo Urieta, United States Army, was convicted by a military panel composed of officer and enlisted members, contrary to his pleas, of one specification of making a false official statement, and two specifications of sexual assault in violation of Articles 107 and 120, UCMJ. The accused was acquitted of one specification of abusive sexual contact in violation of Article 120, UCMJ. The military judge sentenced

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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 dishonorable discharge.

On 30 August 2022, at a general court-martial convened at Fort Bragg, North Carolina, a Private First Class, United States Army, was acquitted by a military judge of one specification of possession of child pornography in violation of Article 134, UCMJ.

Third Judicial Circuit

On 3 August 2022, at a general court-martial convened at Fort Riley, Kansas, SPC Samuel Crowell, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of possessing, receiving, and viewing 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 16 months, and to be discharged from the service with a dishonorable discharge. The sentence was consistent with the terms of a plea agreement.

On 4 August 2022, at a special court-martial convened at Fort Hood, Texas, SGT Lavaria Jefferson, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiring to commit larceny and four specifications of wrongful use of a controlled substance in violation of Articles 81 and 112a, UCMJ. The accused was acquitted of two specifications of conspiracy, one specification of larceny, and one specification of obstructing justice in violation of Articles 81, 121, and 131b. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 60 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 8 August 2022, at a general court-martial convened at Fort Hood, Texas, MSG Rusty Groat, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiracy to commit larceny of government property, one specification of false official statement, and one specification of larceny of military property in violation of Articles 81, 107, and 121, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-3, to be reprimanded, and to be confined for 60 days. The sentence was consistent with the terms of a plea agreement.

On 12 August 2022, at a general court-martial convened at Fort Riley, Kansas, 2LT Dalton Clark, United States Army, was convicted by a military panel composed of officers, contrary to his pleas, of one specification of child endangerment, five specifications of assault upon a spouse, and three specifications of obstruction of justice in violation of Articles 119b, 128, and 131b, UCMJ. The accused was acquitted of five specifications of willfully disobeying a superior commissioned officer, five specifications of assault upon a spouse, and one specification of obstruction of justice in violation of Articles 90, 128, and 131b, UCMJ. The military judge sentenced the accused to forfeit all pay and allowances, to be confined for 548 days, and to be dismissed from the service.

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On 15 August 2022, at a special court-martial convened at Fort Hood, Texas, PFC Nydarious T. Brown, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiracy in violation of Article 81, UCMJ. The accused was acquitted of one specification of conspiracy, one specification of forgery, and one specification of larceny in violation of Articles 81, 105, and 121, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 25 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 16 August 2022, at a general court-martial convened at Fort Hood, Texas, PFC Patrick L. Cumbie, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of assault in violation of Article 128, UCMJ. The accused was acquitted of one specification of assault in violation of Article 128, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-3, to be confined for 90 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 17 August 2022, at a general court-martial convened at Fort Leonard Wood, Missouri, PFC Zackary Gillis, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiracy to commit larceny, one specification of conspiracy to commit robbery with a dangerous weapon, one specification of burglary, one specification of robbery, and one specification of obstructing justice, in violation of Articles 81, 122, 129, and 131b, UCMJ. The accused was acquitted of one specification of attempted obstruction of justice, one specification of murder, one specification of larceny, two specifications of assault, two specifications of unlawful entry, and two specifications of obstruction of justice in violation of Articles 80, 118, 121, 128, 129, and 131b, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 198 months, and to be discharged from the service with a dishonorable discharge. The sentence was consistent with the plea agreement.

On 18 August 2022, at a general court-martial convened at Fort Leonard Wood, Missouri, PFC Blake R. Paulson, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of conspiracy to commit robbery with a dangerous weapon, one specification of conspiracy to commit unlawful entry, one specification of larceny, one specification of robbery, one specification of assault with a firearm, one specification of burglary, and one specification of obstructing justice in violation of Articles 81, 121, 122, 128, 129, and 131b, UCMJ. The accused was acquitted of one specification of attempted obstruction of justice, one specification of murder, one specification of assault, two specifications on unlawful entry to commit robbery, and two specifications of obstruction of justice in violation of Articles 80, 118, 128, 129, and 131b, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 132 months, and to be discharged from the service with a dishonorable discharge. The sentence was consistent with the terms of the plea agreement.

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On 24 August 2022, at a general court-martial convened at Fort Hood, Texas, SFC Brian J. Divine, United States Army, was convicted by a military judge, pursuant to his pleas, of four specifications of violation of a lawful general regulation and three specifications of cruelty and maltreatment in violation of Articles 92 and 93, UCMJ. The military judge sentenced the accused to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 29 August 2022, at a general court martial convened at Fort Hood, Texas, SGT Erica M. Williams, United States Army, was convicted by a military judge, pursuant to her pleas, of one specification of attempted aggravated arson, one specification of attempted aggravated arson, two specifications of larceny of government property, and one specification of aggravated assault resulting in grievous bodily harm in violation of Articles 80, 121, and 128, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 7 years and 6 months, and to be discharged from the service with a dishonorable discharge. The sentence was consistent with the terms of a plea agreement.

On 30 August 2022, at a general court-martial convened at Fort Hood, Texas, PFC Justin M. Scott, United States Army, was convicted by a military judge, contrary to his pleas, of one specification of sexual abuse of a child in violation of Article 120b, UCMJ. The military judge sentenced the accused to be reprimanded, to be reduced to the grade of E-1, to perform 60 days of hard labor without confinement, to be restricted for 60 days, and to be discharged from the service with a dishonorable discharge.

Fourth Judicial Circuit

On 1 August 2022, at a general court-martial convened at Joint Base Elmendorf-Richardson, Alaska, SGT Brandon Branch, United States Army, was convicted by a military judge, pursuant to his pleas, 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-1, to be confined for 2 months, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 1 August 2022, at a general court-martial convened at Wheeler Army Airfield, Hawaii, 1LT Alex Ly, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of dereliction of duty in violation of Article 92, UCMJ. The military judge sentenced the accused to forfeit \$3,333.00 pay per month for 3 months, to be confined for 20 days, and to be reprimanded. The sentence was consistent with the terms of a plea agreement.

On 2 August 2022, at a general court-martial convened at Fort Carson, Colorado, PFC Michael T. Hernandez, United States Army, was convicted by a military judge, pursuant to his pleas, of four specifications of abusive sexual contact in violation of Article 120, UCMJ. The military judge sentenced the accused to be reduced to the

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grade of E-1, to be confined for 82 months, and to be discharged from the service with a dishonorable discharge. The sentence was consistent with the terms of a plea agreement.

On 2 August 2022, at a special court-martial convened at Joint Base Lewis-McChord, Washington, SPC Jared Pettry, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of domestic violence in violation of Article 128b, UCMJ. The military judge sentenced the accused to be reprimanded, to be reduced to the grade of E-1, to be confined for 180 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 4 August 2022, at a general court-martial convened at Camp Humphreys, Republic of Korea, PFC Kevin Riveradukas, United States Army, was convicted by a military judge, pursuant to his plea, of one specification of failing to be at his appointed place of duty in violation of Article 86, UCMJ. The accused was acquitted by a military panel composed of officer and enlisted members of two specifications of disobeying a superior commissioned officer and three specifications of domestic violence in violation of Articles 90 and 128b, UCMJ. The military judge did not sentence the accused to any punishment.

On 9 August 2022, at a special court-martial convened at Joint Base Elmendorf Richardson, Alaska, PFC Andrew Walls, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of wrongful introduction of a controlled substance, one specification of wrongful possession of a controlled substance, and two specifications of wrongful use of a controlled substance in violation of Article 112a, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to forfeit \$1,000 pay per month for three months, and to be confined for 25 days. The sentence was consistent with the terms of a plea agreement.

On 9 August 2022, at a general court-martial convened at Camp Humphreys, Republic of Korea, SFC Christopher Sutton, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of disobeying a superior commissioned officer, one specification of communicating a threat, two specifications of wrongfully broadcasting an intimate visual image, and one specification of domestic violence in violation of Articles 90, 115, 117a, and 128b, UCMJ. The accused was acquitted of one specification of domestic violence in violation of Article 128b, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-5 and to be confined for 150 days. The sentence was consistent with the terms of a plea agreement.

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On 12 August 2022, at a special court-martial convened at Fort Bliss, Texas, PV2 Brandon A. Boudle, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of wrongful distribution of a controlled substance and one specification of wrongful use of a controlled substance in violation of Article 112a, UCMJ. The military judge sentenced the accused to forfeit \$1,000 pay per month for 5 months, to be confined for 145 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 12 August 2022, at a general court-martial convened at Joint Base Lewis-McChord, Washington, SPC Justin Dallas, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of sexual assault and one specification of domestic violence in violation of Articles 120 and 128b, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 4 years and 5 months, and to be discharged from the service with a dishonorable discharge. The sentence was consistent with the terms of a plea agreement.

On 16 August 2022, at a special court-martial convened at Camp Humphreys, Republic of Korea, a Private First Class, United States Army, 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 19 August 2022, at a general court-martial convened at Fort Bliss, Texas, PFC Davy J. Halchimai, United States Army, was convicted by a military panel composed of officers and enlisted members, contrary to his pleas, of one specification of communicating a threat, one specification of sexual assault, and one specification of simple assault in violation of Articles 115, 120, and 128 UCMJ. The accused was acquitted of one specification of communicating a threat and one specification of rape in violation of Articles 115 and 120, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 5 years, and to be discharged from the service with a dishonorable discharge.

On 19 August 2022, at a special court-martial convened at Camp Humphreys, Republic of Korea, PFC Christian Sanchez, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of domestic violence, one specification of drunk and disorderly conduct, and one specification of extramarital sexual conduct in violation of Articles 128b and 134, UCMJ. The military judge sentenced the accused to be confined for 21 days and to be discharged from the service with a bad-conduct discharge.

On 19 August 2022, at a special court-martial convened at Fort Irwin, California, MSG Christian Beyer, United States Army, was convicted by a military judge, contrary to his pleas, of one specification disrespect to a noncommissioned officer, one specification of provoking speech, one specification of assault, and one specification of domestic violence in violation of Articles 91, 117, 128, and 128b, UCMJ. The accused was acquitted of one specification of communicating a threat and

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one specification of indecent language in violation of Articles 115 and 134, UCMJ. The military judge sentenced the accused to forfeit \$250 per month for 4 months, to be reduced to the grade of E-7, and to be confined for 43 days.

On 23 August 2022, at a special court-martial convened at Fort Carson, Colorado, SPC Jathan A. Day, United States Army, was convicted by a military judge, pursuant to his pleas, of two specifications of wrongful distribution of a controlled substance in violation of Article 112a, UCMJ. The military judge sentenced the accused to be confined for 90 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 25 August 2022, at a general court-martial convened at Joint Base Elmendorf-Richardson, Alaska, PFC Tristan Shoup, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of viewing child pornography and one specification of receiving 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 12 months, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 25 August 2022, at a general court-martial convened at Joint Base Lewis-McChord, Washington, PV2 Ryan Garcia, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of committing a lewd act upon a child who had not attained the age of 16 years in violation of Article 120b, UCMJ. The military judge sentenced the accused to forfeit \$900 pay per month for 3 months, to be reduced to the grade of E-1, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

On 30 August 2022, at a special court-martial convened at Joint Base Lewis-McChord, Washington, SPC Clayton Burris, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of wrongful distribution of a controlled substance and one specification of wrongful use of a controlled substance in violation of Article 112a, UCMJ. The military judge sentenced the accused to be reduced to the grade of E-1, to be confined for 19 days, and to be discharged from the service with a bad-conduct discharge. The sentence was consistent with the terms of a plea agreement.

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On 31 August 2022, at a general court-martial convened at Camp Zama, Japan, SGT Darryl Myers, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of larceny, and one specification of unlawful entry in violation of Articles 121 and 129, UCMJ. Contrary to his pleas, the accused was convicted by the military judge of five specifications of domestic violence in violation of Article 128b, UCMJ. The accused was acquitted of one specification of disobeying a lawful order and three specifications of domestic violence in violation of Articles 92 and 128b, 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.

Fifth Judicial Circuit

On 25 August 2022, at a general court-martial convened at Wiesbaden, Germany, LTC Derrick Carter, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of making a false official statement and one specification of larceny in violation of Articles 107 and 121, UCMJ. The military judge sentenced the accused to be fined \$10,000 and to be confined for 15 days. The sentenced was consistent with the terms of a plea agreement.

On 31 August 2022, at a special court-martial convened at Rose Barracks, Germany, PV1 Cristian Encarnacion-Gonzalez, United States Army, was convicted by a military judge, pursuant to his pleas, of one specification of failure to obey a regulation, one specification of damaging property in excess of \$1000, and one specification of drunk and disorderly conduct in violation of Articles 92, 109, and 134, UCMJ. The accused was acquitted of one specification of domestic violence in violation of Article 128b, UCMJ. The military judge sentenced the accused to be confined for 30 days. The sentence was consistent with the terms of a plea agreement.

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