

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
MORRIS, BURGESS, and JUETTEN
Appellate Military Judges

UNITED STATES OF AMERICA, Appellee
v.
Staff Sergeant OSMIN O. BONILLA-CARDENAS
United States Army, Appellant

ARMY 20230483

Headquarters, Fort Carson (trial)
Headquarters, U.S. Army Combined Arms Center and Fort Leavenworth (new
recommendation and action)
Jacqueline L. Emanuel, Military Judge (trial)
Michael E. Korte, Military Judge (modified judgment of the court)
Lieutenant Colonel Kenton Spiegler, Acting Staff Judge Advocate (trial)
Colonel Christopher S. Harry, Staff Judge Advocate (new recommendation and
action)

For Appellant: Lieutenant Colonel Autumn R. Porter, JA; Major Robert D. Luyties, JA; Captain Amir R. Hamdoun, JA (on brief); Colonel Frank E. Kostik, JA; Lieutenant Colonel Kyle C. Sprague, JA; Major Peter M. Ellis, JA; Captain Andrew W. Moore, JA; Mr. Jonathan F. Potter, Esquire (brief on specified issue).

For Appellee: Colonel Richard E. Gorini, JA; Major Marc B. Sawyer, JA; Captain Andrew T. Bobowski, JA (on brief); Colonel Richard E. Gorini, JA; Major Stephen L. Harmel, JA; Captain Andrew T. Bobowski, JA (brief on specified issue).

13 August 2026

DECISION ON FURTHER REVIEW

Per Curiam:

On 1 October 2025, this court set aside the finding of guilty for The Specification of The Additional Charge and the sentence in its entirety. *United States v. Bonilla-Cardenas*, ARMY 20230483, 2025 CCA LEXIS 507, at *12 (Army Ct. Crim. App. 1 Oct. 2025) (mem. op.). The remaining findings of guilty were affirmed, and a rehearing was authorized for the set aside finding and sentence *in toto*. *Id.*

On 26 June 2026, The Additional Charge and its Specification was withdrawn and dismissed without prejudice by the convening authority. A sentence of “no punishment” was entered by the military judge for the previously affirmed findings.

On consideration of the entire record, we hold the findings of guilty and the sentence, as incorporated in the Modified Judgment of the Court, dated 15 July 2026, correct in law and fact. Accordingly, those findings of guilty and the sentence are AFFIRMED.*

FOR THE COURT:

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JAM W.
Clerk of Court

* The Modified Judgment of the Court is corrected to reflect an “ACCA Case Number” of “20230483”.