

UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before
CAMPANELLA, HERRING, and PENLAND
Appellate Military Judges

UNITED STATES, Appellee
v.
Private E2 JONATHAN J. HINES
United States Army, Appellant

ARMY 20140890

Headquarters, U.S. Army Alaska
Samuel Schubert, Military Judge (arraignment)
Craig S. Denney, Military Judge (trial)
Colonel Erik L. Christiansen, Staff Judge Advocate
Colonel Roseanne M. Bennett, Staff Judge Advocate (new recommendation)
Lieutenant Colonel Stephen W. McGaha, Staff Judge Advocate (new addendum)

For Appellant: Major Andres Vazquez, Jr., JA; Captain Cody Cheek, JA (on brief).

For Appellee: Colonel Mark H. Sydenham, JA, Lieutenant Colonel A. G. Courie III, JA; Major Michael E. Korte, JA, Captain Tara O'Brien Goble, JA (on brief).

18 May 2017

SUMMARY DISPOSITION ON FURTHER REVIEW

PENLAND, Judge:

A military judge sitting as a general court-martial convicted appellant, contrary to his pleas, of sexual assault of a child and sexual abuse of a child, in violation of Article 120b, Uniform Code of Military Justice, 10 U.S.C. § 920b (2012) [hereinafter UCMJ]. The convening authority approved the adjudged sentence of a bad-conduct discharge, confinement for fifteen months, and reduction to the grade of E-1.

On 28 November 2016 this court set aside the convening authority's action, dated 29 May 2015, and returned the record of trial to The Judge Advocate General for authentication and a new review and action. *United States v. Hines*, ARMY 20140890, 2016 CCA LEXIS 680 (Army Ct. Crim. App. 28 Nov. 2016) (summ. disp.). The convening authority took action on 31 January 2017 and this case is now before us for review pursuant to Article 66, UCMJ. Appellant raised four assignments of error and

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matters personally asserted under *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982); we find that they lack merit.

CONCLUSION

On consideration of the entire record, we hold the findings of guilty and the sentence as approved by the convening authority correct in law and fact. Accordingly, those findings of guilty and the sentence are **AFFIRMED**.

Senior Judge CAMPANELLA and Judge HERRING concur.



FOR THE COURT:

A handwritten signature in black ink, appearing to read "John P. Taitt", written over a horizontal line.

JOHN P. TAITT
Chief Deputy Clerk of Court