

# UNITED STATES ARMY COURT OF CRIMINAL APPEALS

Before  
ALDYKIEWICZ, SALUSSOLIA, and FLEMING  
Appellate Military Judges

**UNITED STATES, Appellee**  
**v.**  
**Specialist ANTHONY R. CLARK II**  
**United States Army, Appellant**

ARMY 20160304

Headquarters, Fort Campbell  
Matthew A. Calarco and Jacqueline Tubbs, Military Judges  
Colonel Laura J. Calese, Staff Judge Advocate

For Appellant: Lieutenant Colonel Angela D. Swilley, JA; Captain Paul T. Shirk, JA (on brief); Colonel Michael C. Friess, JA; Major Kyle C. Sprague, JA; Captain Paul T. Shirk, JA (on reconsideration).

For Appellee: Colonel Steven P. Haight, JA; Lieutenant Colonel Wayne H. Williams, JA; Major Craig Schapira, JA (on brief).

24 August 2020

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SUMMARY DISPOSITION ON RECONSIDERATION  
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*This opinion is issued as an unpublished opinion and, as such, does not serve as precedent.*

Per Curiam:

We granted appellant's motion to reconsider our 13 August 2020 decision in which we affirmed the findings and sentence as approved by the convening authority. Exercising our Article 66, UCMJ, authority, and upon consideration of the entire record, including the issues personally asserted by appellant and the arguments contained in appellant's timely submitted reply brief, we hold the findings of guilty and the sentence, as approved by the convening authority, correct

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in law and fact. Accordingly, those findings of guilty and the sentence are AFFIRMED.\*

FOR THE COURT:

A handwritten signature in black ink, reading "Malcolm H. Squires, Jr.", written in a cursive style.

MALCOLM H. SQUIRES, JR.  
Clerk of Court

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\* We note the convening authority's action failed to credit appellant with 1,619 days of pretrial confinement credit and 110 days of credit pursuant to Article 13, UCMJ. The military judge credited appellant with these amounts upon the announcement of appellant's sentence and they are properly reflected in the promulgating order. We hereby award appellant with 1,619 days of pretrial confinement credit and 110 days of Article 13, UCMJ, credit as correctly noted in the promulgating order but omitted from the convening authority's action.