This opinion is subject to administrative correction before final disposition.

United States Navy–Marine Corps Court of Criminal Appeals

Before
KISOR, MIZER, and THORNHILL
Appellate Military Judges

UNITED STATES
Appellee

v.

Tony E. DEDOLPH
Chief Petty Officer (E-7), U.S. Navy
Appellant

No. 202100150 (f rev)

Decided: 27 June 2024

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judges:
Hayes C. Larsen (motions, trial)
Derek D. Butler (rehearing on sentence)

Sentence adjudged 6 October 2023 by a general court-martial convened at Washington Navy Yard, Washington, DC, consisting of a military judge sitting alone. Sentence in the Entry of Judgment: reduction to E-4, confinement for 18 months, and a bad-conduct discharge.[1]

For Appellant:
Major Joshua P. Keefe, USMC

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[1] Appellant was credited with having served 701 days of pretrial confinement.

28 *June 2024: Administrative Correction to reflect that Appellant was initially sentenced by officer and enlisted members.*

This opinion does not serve as binding precedent under NMCCA Rule of Appellate Procedure 30.2(a).

PER CURIAM:

A military judge sitting as a general court-martial convicted Appellant, pursuant to his pleas of conspiracy to commit assault and obstruct justice, violation of a lawful general order, involuntary manslaughter, and obstruction of justice, in violation of Articles 81, 92, 119, and 134, Uniform Code of Military Justice (UCMJ).[2] A panel of officer and enlisted members sentenced Appellant to reduction to E-1, confinement for 10 years, and a dishonorable discharge

We affirmed the findings on initial appeal, but set aside the sentence and returned to record to the Judge Advocate General of the Navy for remand to an appropriate convening authority with authority to order a sentencing rehearing.[3] At the rehearing, a military judge sentenced Appellant to reduction to E-4, confinement for 18 months, and a bad-conduct discharge.

After careful consideration of the post-appellate record, submitted without assignment of error, and having already affirmed the findings, we have determined that the sentence is correct in law and fact and that no error materially prejudicial to Appellant's substantial rights occurred.[4]

The sentence is **AFFIRMED**.

FOR THE COURT:

MARK K. JAMISON
Clerk of Court

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[2] 10 U.S.C. §§ 881, 892, 919, and 934 (2016).

[3] *United States v. Dedolph*, No. 202100150, 2022 CCA LEXIS 658 (N-M. Ct. Crim. App. Nov. 15, 2022) (unpublished).

[4] Articles 59 & 66, Uniform Code of Military Justice, 10 U.S.C. §§ 859, 866.