

**UNITED STATES AIR FORCE
COURT OF CRIMINAL APPEALS**

No. ACM 39527

UNITED STATES
Appellee

v.

Johnathen M. DICKEY
Airman First Class (E-3), U.S. Air Force, *Appellant*

Appeal from the United States Air Force Trial Judiciary
Decided 13 June 2019

Military Judge: Bradley A. Morris.

Approved sentence: Dishonorable discharge, confinement for 12 months, reduction to E-1, and a reprimand. Sentence adjudged 25 April 2018 by GCM convened at Davis-Monthan AFB, Arizona.

For Appellant: Major Todd M. Swensen, USAF.

For Appellee: Lieutenant Colonel Joseph J. Kubler, USAF; Mary Ellen Payne, Esquire.

Before HUYGEN, MINK, and RAMÍREZ, *Appellate Military Judges*.

This is an unpublished opinion and, as such, does not serve as precedent under AFCCA Rule of Practice and Procedure 18.4.

PER CURIAM:

The approved findings and sentence are correct in law and fact, and no error materially prejudicial to Appellant's substantial rights occurred. Articles 59(a) and 66(c), Uniform Code of Military Justice, 10 U.S.C. §§

859(a), 866(c).¹ Accordingly, the approved findings and sentence are **AF-FIRMED**.²



FOR THE COURT

Carol K. Joyce

CAROL K. JOYCE
Clerk of the Court

¹ This reference to the Uniform Code of Military Justice is to the *Manual for Courts-Martial, United States* (2016 ed.).

² The court-martial order indicates that Appellant did not enter a plea as to Specification 4 of Charge I; however, according to the record of trial, Appellant entered a plea of not guilty. We direct a corrected court-martial order to reflect that Appellant entered a plea of not guilty as to Specification 4 of Charge I, and that the Government withdrew and dismissed with prejudice the specification.