

**UNITED STATES NAVY-MARINE CORPS
COURT OF CRIMINAL APPEALS
WASHINGTON, D.C.**

**Before
J.R. MCFARLANE, K.J. BRUBAKER, D.J. SMITH
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**JOSHUA L. HAYES
CULINARY SPECIALIST SEAMAN APPRENTICE (E-2), U.S. NAVY**

**NMCCA 201400365
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 25 July 2014.

Military Judge: LtCol Jeffrey Groharing, USMC.

Convening Authority: Commanding Officer, USS NIMITZ (CVN 68).

Staff Judge Advocate's Recommendation: LCDR C.J. Deerwester, JAGC, USN.

For Appellant: CDR Ricardo Berry, JAGC, USN.

For Appellee: LT Amy Freyermuth, JAGC, USN.

17 March 2015

OPINION OF THE COURT

After careful consideration of the record and the pleadings of the parties, we affirm the findings and sentence as approved by the convening authority. Article 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c). We concur with the single summary assignment of error noting the scrivener's error in the court-martial order and direct that the supplemental court-martial order reflect that Charge I was for a violation of Article 85, UCMJ, vice Article 86.

For the Court

R.H. TROIDL
Clerk of Court