UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS
Washington, DC

UNITED STATES

v.

David R. SHERMAN
Aviation Maintenance Technician Second Class, U.S. Coast Guard

CGCMS 24187

Docket No. 1133

26 September 2000

Special Court-Martial convened by Commanding Officer, Coast Guard Air Station Astoria. Tried at Seattle, Washington on 11 January 2000.

Military Judge:	CDR Gregory L. Shelton, USCG
Trial Counsel:	LCDR Timothy G. Stueve, USCG
Assistant Trial Counsel	LCDR Michael J. Lodge, USCG
Detailed Defense Counsel	LT George I. Davenport, JAGC, USNR
Appellate Defense Counsel:	CDR Jeffrey C. Good, USCG
Appellate Government Counsel:	LCDR Chris P. Reilly, USCG

BEFORE
PANEL NINE
BAUM, McCLELLAND AND BRUCE
Appellate Military Judges

Per Curiam:

 Appellant was tried by a special court-martial before a military judge alone. Pursuant to his pleas of guilty, entered in accordance with a pretrial agreement, he was convicted of one specification of desertion in violation of Article 85, Uniform Code of Military Justice (UCMJ). Appellant was sentenced to confinement for five months, reduction to E-1, and a bad-conduct discharge. Pursuant to the terms of his pretrial agreement, the convening authority approved the sentence as adjudged. He also acknowledged that appellant was entitled to be credited with seventy-five days against his sentence of confinement for the period spent in pretrial confinement.

 Before this Court, without admitting that the findings and sentence are correct in law and fact, Appellant has submitted this case on its merits as to any and all errors.

We have reviewed the record in accordance with Article 66, UCMJ. Upon such review, we have determined that the findings and sentence are correct in law and fact, and on the basis of the entire record should be approved. Accordingly, the findings and sentence, as approved below, are affirmed.

For the Court,

//s//
James P. Magner
Clerk of the Court