

**UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS
Washington, D.C.**

UNITED STATES

v.

**Michael A. White
Yeoman Second Class, U.S. Coast Guard**

CGCMG 0168

Docket No. 1146

17 July 2001

General Court-Martial convened by Commander, Maintenance and Logistics Command, Atlantic. Tried at Norfolk, Virginia, on 20 November 2000.

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| Military Judge: | CAPT Michael J. Devine, USCG |
| Trial Counsel: | LT William Hennessy, USCG |
| Detailed Defense Counsel: | LT Vincent Parrett, JAGC, USNR |
| Appellate Defense Counsel: | CDR Jeffrey C. Good, USCG |
| Appellate Government Counsel: | LT Sandra J. Miracle, USCGR |

**BEFORE
PANEL TEN
BAUM, CASSELS, & BRUCE**
Appellate Military Judges

Per curiam:

Appellant was tried by general court-martial, military judge alone. Pursuant to his pleas of guilty, entered in accordance with a pretrial agreement, Appellant was found guilty of one specification of committing indecent acts upon the body of a female under sixteen years of age and one specification of wrongfully communicating a threat to the same person, in violation of Article 134 of the Uniform Code of Military Justice (UCMJ) (2000 ed.), and one specification of making a false official statement, in violation of Article 107 of the UCMJ.

Appellant was sentenced to reduction to paygrade E-1, confinement for fourteen months, and to be discharged from the Coast Guard with a bad-conduct discharge. The Convening Authority approved the sentence as adjudged, which was allowed by the sentence terms of the pretrial agreement. That agreement expressly called for the initial deferral and subsequent waiver for six months of all forfeitures required by Article 58b, UCMJ, and the convening authority complied with that provision of the agreement.

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//

Kevin G. Ansley
Clerk of the Court

