

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

UNITED STATES

v.

**Shannon M. EARLE
Telecommunications Specialist Third Class (E-4), U.S. Coast Guard**

CGCMS 24215

Docket No. 1156

30 January 2002

Special Court-Martial convened by Commander, Coast Guard Group/Marine Safety Office Long Island Sound. Tried at New Haven, Connecticut, on 8 May 2001.

Military Judge:	CDR Thomas R. Cahill, USCG
Trial Counsel:	LCDR Sean P. Gill, USCG
Detailed Defense Counsel:	LT Vartan A. Davidian, III, JAGC, USNR
Appellate Defense Counsel:	CDR Jeffrey C. Good, USCG
Appellate Government Counsel:	LT Daniel J. Goettle, USCG

**BEFORE
PANEL TWO
BAUM, KANTOR, & PALMER**
Appellate Military Judges

Per curiam:

Appellant was tried by special court-martial, military judge alone. Pursuant to his pleas of guilty, entered in accordance with a pretrial agreement, he was found guilty of one specification of violating a lawful general order, and four specifications of violating other lawful orders, in violation of Article 92 of the Uniform Code of Military Justice (UCMJ); and one specification of sodomy, in violation of Article 125, UCMJ.

Appellant was sentenced to a Bad Conduct Discharge (BCD), confinement for ninety days, and reduction to E-2. Pursuant to the terms of the pretrial agreement, the Convening Authority approved only so much of the sentence as provides for a BCD and reduction to E-2. 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

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the entire record should be approved. Accordingly, the findings and sentence, as approved below, are affirmed.



For the Court,

Kevin G. Ansley
Clerk of the Court