

UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Joshua D. MATHEWS
Gunner's Mate Second Class (E-5), U.S. Coast Guard

CGCMSP 24955
Docket No. 1451

11 December 2017

Special Court-Martial convened by Commander, Eleventh Coast Guard District. Tried at San Diego, California, on 8 December 2016.

Military Judge:	CDR Ted R. Fowles, USCG
Trial Counsel:	LT Emily C. Miletello, USCGR
Assistant Trial Counsel:	LCDR Joel C. Coito, USCG
Defense Counsel:	LT Kelly L. Haupt, USCG
Appellate Defense Counsel:	LT Jason W. Roberts, USCGR
Appellate Government Counsel:	LCDR Tereza Z. Ohley, USCGR

BEFORE
McCLELLAND, BRUCE & JUDGE
Appellate Military Judges

Per curiam:

Appellant was tried by special court-martial, military judge alone. Pursuant to his pleas, entered in accordance with a pretrial agreement, Appellant was convicted of one specification of willfully disobeying a superior commissioned officer, in violation of Article 90, Uniform Code of Military Justice (UCMJ); one specification of assault and battery, in violation of Article 128, UCMJ; and one specification of obstructing justice, in violation of Article 134, UCMJ. The military judge sentenced Appellant to reduction to E-1, confinement for sixty days, and a bad-conduct discharge. The Convening Authority approved only so much of the sentence extending to reduction to E-1, confinement for forty-three days and a bad-conduct discharge and suspended the bad-conduct discharge, in accordance with the pretrial agreement.

United States v. Joshua D. MATHEWS, No. 1451 (C.G.Ct.Crim.App. 2017)

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.

Decision

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



For the Court,

Sarah P. Valdes
Clerk of the Court