

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

UNITED STATES

v.

**Joshua A. PETERSON
Yeoman Third Class (E-4), U.S. Coast Guard**

CGCMS 24319

Docket No. 1244

8 November 2005

Special Court-Martial convened by Commanding Officer, Enlisted Personnel, Thirteenth Coast Guard District. Tried at Seattle, Washington, on 5 April 2005.

Military Judge:	CDR Timothy G. Stueve, USCG
Trial Counsel:	LT Jowcol I. Vina, USCGR
Assistant Trial Counsel:	LT Aaron W. Reiman, USCGR
Defense Counsel:	LT Michael J. Stutts, JAGC, USNR
Appellate Defense Counsel:	LCDR Nancy J. Truax, USCG
Appellate Government Counsel:	LT Donna D. Leoce, USCG

**BEFORE
PANEL NINE
BAUM, MCCLELLAND, & TEAL**
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, Appellant was convicted of the following offenses: six specifications of unauthorized absence, in violation of Article 86, Uniform Code of Military Justice (UCMJ); one specification of wrongful use of methamphetamine, a controlled substance, in violation of Article 112a, UCMJ; and one specification of larceny of property of a value of about nine dollars, in violation of Article 121, UCMJ. The military judge sentenced Appellant to a bad-conduct discharge, confinement for seventy-five days, and reduction to E-1. The Convening Authority approved the sentence as adjudged, but suspended confinement in excess of sixty days for the period of confinement plus

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twelve months from the date of Appellant's release from confinement, which met the terms of the pretrial agreement. The Convening Authority noted that Appellant had spent forty-six days in pretrial confinement, and that his sentence would be credited accordingly.

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, 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 and partially suspended below, are affirmed.



For the Court,

Roy Shannon Jr.
Clerk of the Court