

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

UNITED STATES

v.

**Christopher M. UPHAM,
Lieutenant (O-3), U.S. Coast Guard**

CGCMG 0218

Docket No. 1268

31 January 2007

General Court-Martial convened by Commander, Maintenance and Logistics Command Atlantic.
Tried at Arlington, Virginia, on 20 December 2005.

Military Judge:	CAPT Brian M. Judge, USCG
Trial Counsel:	LT Anthony S. Simpson, USCG
Assistant Trial Counsel:	LCDR Patrick M. Flynn, USCG
Defense Counsel:	LT Robert M. Pirone, USCGR
Appellate Defense Counsel:	LCDR Nancy J. Truax, USCG
Appellate Government Counsel:	LCDR Patrick M. Flynn, USCG

**BEFORE
PANEL THREE
McCLELLAND, BAUM, & KANTOR**
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 convicted of conduct unbecoming an officer and a gentleman, in violation of Article 133, Uniform Code of Military Justice (UCMJ). The military judge sentenced Appellant to a dismissal from the Coast Guard, forfeiture of all pay and allowances, and confinement for ninety days. The Convening Authority approved the sentence as adjudged and suspended all confinement for a period of twelve months from the date Appellant was sentenced, pursuant to the terms of the pretrial agreement.

United States v. Christopher M. UPHAM, No. 1268 (C.G.Ct.Crim.App. 2007)

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,

Jane R. Lim
Clerk of the Court