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

UNITED STATES

v.

Steven J. MOLINARI
Operations Specialist Third Class (E-4), U.S. Coast Guard

CGCMS 24398

Docket No. 1309

2 September 2009

Special Court-Martial convened by Commanding Officer, USCGC GALLATIN (WHEC-721).
Tried at Charleston, South Carolina, on 30 January 2008.

Military Judge:	CDR Sandra J. Selman, USCG
Trial Counsel:	LT Benedict S. Gullo, USCGR
Assistant Trial Counsel:	LT Neil J. Lawson, USCGR
Defense Counsel:	LCDR Fernette Moore, JAGC, USN
Appellate Defense Counsel:	CDR Necia L Chambliss, USCGR
Appellate Government Counsel:	LCDR Brian K. Koshulsky, USCG

BEFORE
McCLELLAND, TOUSLEY & McTAGUE
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 one specification of conspiracy, in violation of Article 81, Uniform Code of Military Justice (UCMJ); one specification of making a false official statement, in violation of Article 107, UCMJ; and one specification each of an indecent act and obstructing justice, in violation of Article 134, UCMJ. The military judge sentenced Appellant to confinement for three months, reduction to E-1, and a bad-conduct discharge. The Convening Authority approved the sentence as adjudged, but suspended confinement in excess of forty-five days for six months, pursuant to the pretrial 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.

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 and partially suspended below, are affirmed.

For the Court,

Lane I. McClelland
Chief Judge