

UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Leonel G. HINOJOSA
Health Services Technician Second Class (E-5), U.S. Coast Guard

CGCMG 0331
Docket No. 1429

23 January 2017

General Court-Martial convened by Commander, Eighth Coast Guard District. Tried at New Orleans, Louisiana, on 8 October 2014 and 5 March 2015.

Military Judge:	CAPT Christine N. Cutter, USCG
Trial Counsel:	LT Anthony M. DeStefano, USCG
Assistant Trial Counsel:	LCDR Emily M. Gibbons, USCG
Defense Counsel:	LCDR Chad C. Temple, JAGC, USN
Appellate Defense Counsel:	LT Philip A. Jones, USCGR
Appellate Government Counsel:	LT Tereza Z. Ohley, USCGR

BEFORE
McCLELLAND, SPOLIDORO & JUDGE
Appellate Military Judges

Per curiam:

Appellant was tried by general court-martial, military judge alone. Pursuant to his pleas of guilty, Appellant was convicted of two specifications of dereliction of duty, in violation of Article 92, Uniform Code of Military Justice (UCMJ); one specification of making false official statements, in violation of Article 107, UCMJ; three specifications of abusive sexual contact, in violation of Article 120, UCMJ; and one specification of assault and battery, in violation of Article 128, UCMJ. The military judge sentenced Appellant to confinement for thirty months, reduction to E-1, and a dishonorable discharge. The Convening Authority approved the sentence except for confinement in excess of two years, in accordance with 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 below, are affirmed.



For the Court,

Shelia R. O'Reilly
Clerk of the Court