

UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Jesus A. MENDOZA
Machinery Technician Third Class (E-4), U.S. Coast Guard

CGCMS 24476

Docket No. 1359

7 September 2012

Special Court-Martial convened by Commander, Coast Guard Sector Boston. Tried at Boston, Massachusetts, on 7 March, 17-18 May, and 15 June 2011.

Military Judge:	CDR Michael C. Wessel, USCG
Trial Counsel:	LCDR Cassie A. Kitchen, USCG
Assistant Trial Counsel:	LT Gary C. Murphy, USCG
Defense Counsel:	LT Matthew S. Bartholomaeus, JAGC, USN
Appellate Defense Counsel:	LCDR Paul R. Casey, USCG
Appellate Government Counsel:	LT Amanda M. Caprari Lee, USCG

BEFORE
McCLELLAND, McGUIRE¹ & 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 larceny, in violation of Article 121, Uniform Code of Military Justice (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 five months, and a bad-conduct discharge. The Convening Authority approved only so much of the sentence as included reduction to E-1, confinement for sixty days, and a bad-conduct discharge, 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.

¹ Judge McGuire did not participate in this decision.

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,



Andrew R. Alder
Clerk of the Court