

UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS

UNITED STATES

v.

David A. SCHWARTZ
Storekeeper Second Class (E-5), U.S. Coast Guard

CGCMG 0357
Docket No. 1455

22 May 2018

Military Judge:	CAPT Matthew J. Fay, USCG
Appellate Defense Counsel:	LCDR Benjamin M. Robinson, USCG
Appellate Government Counsel:	LCDR Stephen R. Miros, USCG

BEFORE
McCLELLAND, HAMILTON & BRUBAKER
Appellate Military Judges

Per curiam:

A general court-martial, military judge alone, convicted Appellant, pursuant to his pleas, of one specification of sexual abuse of a child and three specifications of assault consummated by a battery upon a child under 16 years, in violation of Articles 120b and 128, Uniform Code of Military Justice (UCMJ). The military judge sentenced Appellant on 17 February 2017 to confinement for four years, reduction to E-1, and a dishonorable discharge. The Convening Authority approved the sentence, but pursuant to a pretrial agreement, suspended all confinement in excess of thirty months.

Without admitting that the findings and sentence are correct in law and fact, Appellant submits this case to us on its merits without assigning error.

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

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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