

**UNITED STATES NAVY-MARINE CORPS  
COURT OF CRIMINAL APPEALS  
WASHINGTON, D.C.**

**Before  
E.E. GEISER, L.T. BOOKER, J.K. CARBERRY  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**JASON R. GERARD  
BOATSWAIN'S MATE SECOND CLASS (E-5), U.S. NAVY**

**NMCCA 200900418  
GENERAL COURT-MARTIAL**

**Sentence Adjudged:** 27 April 2009.

**Military Judge:** CDR Bethany Payton-O'Brien, JAGC, USN.

**Convening Authority:** Commander, Navy Region Southwest, San Diego, CA.

**Staff Judge Advocate's Recommendation:** CDR D.C. King, JAGC, USN.

**For Appellant:** LCDR Matthew Schelp, JAGC, USN.

**For Appellee:** Mr. Brian K. Keller, Esq.

**22 October 2009**

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**OPINION OF THE COURT**  
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After careful consideration of the record, submitted without assignment of error, we affirm the findings and sentence as approved by the convening authority. Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c).

For the Court

R.H. TROIDL

Clerk of Court