

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

**Before  
E.E. GEISER, J.K. CARBERRY, J.R. PERLAK  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**ROBERT S. SMITH  
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201000187  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 22 December 2009.

**Military Judge:** LtCol David M. Jones, USMC.

**Convening Authority:** Commanding Officer, 3d Supply  
Battalion, Combat Logistics Regiment 35, Marine Logistics  
Group, Okinawa, Japan.

**Staff Judge Advocate's Recommendation:** LtCol J.J. Murphy  
III, USMC.

**For Appellant:** Capt Peter H. Griesch, USMC.

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

**15 June 2010**

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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