

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

**Before
L.T. BOOKER, E.C. PRICE, M. FLYNN
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**JUSTIN T. PENA
MASTER-AT-ARMS THIRD CLASS (E-4), U.S. NAVY**

**NMCCA 201000345
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 12 March 2010.

Military Judge: CAPT Moira Modzelewski, JAGC, USN.

Convening Authority: Commanding Officer, Naval Air Station,
Oceana, VA.

Staff Judge Advocate's Recommendation: LT M.T. Hom, JAGC,
USN.

For Appellant: LtCol Brian Shinkle, USMCR.

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

30 September 2010

OPINION OF THE COURT

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