

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

**Before  
J.A. MAKSYM, J.R. PERLAK, B.L. PAYTON-O'BRIEN  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**KERRY J. HELTON  
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 201000477  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 11 June 2010.

**Military Judge:** Maj Clay A. Plummer, USMC.

**Convening Authority:** Commanding Officer, Headquarters  
Battalion, 2d Marine Division, Camp Lejeune, NC.

**Staff Judge Advocate's Recommendation:** LtCol J.W. Hitesman,  
USMC.

**For Appellant:** CAPT John H. Bennett, JAGC, USN.

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

**18 November 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