

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

**Before
F.D. MITCHELL, J.A. MAKSYM, R.E. BEAL
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**WILLIAM C. THOMPSON
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 200600807
GENERAL COURT-MARTIAL**

Sentence Adjudged: 10 September 2009.
Military Judge: LtCol M.D. Mori, USMC.
Convening Authority: Commanding General, 1st Marine
Aircraft Wing, Okinawa, Japan.
Staff Judge Advocate's Recommendation: Col J.R. Woodworth,
USMC.
For Appellant: LT Sarah E. Harris, JAGC, USN.
For Appellee: Mr. Brian Keller, Esq.

30 April 2010

OPINION OF THE COURT

**IN ACCORDANCE WITH RULE 18.2, NMCCA RULES OF PRACTICE AND PROCEDURE, THIS
OPINION DOES NOT SERVE AS PRECEDENT.**

PER CURIAM:

This case is before us for the third time. We most recently returned the case to the convening authority for a new sentencing hearing, and the case has been resubmitted without assignment of error. This court previously remanded this case to the convening authority for resentencing after the Court of Appeals for the Armed Forces set aside Charge V, Specification 2, for reckless endangerment under Article 134, UCMJ. See *United States v. Thompson*, 67 M.J. 106 (C.A.A.F. 2009).¹ On 10 September 2009, a

¹ After entering mixed pleas, the appellant was convicted by a general court-martial composed of officer and enlisted members of one specification of

military judge sitting alone sentenced the appellant to 11 months confinement and a bad-conduct discharge; the convening authority approved the sentence as adjudged.

We are satisfied that the findings and sentence are correct in law and fact and that no error materially prejudicial to the appellant's substantial rights exists. Arts. 59(a) and 66(c), UCMJ. Accordingly, the findings and sentence are affirmed.

For the Court

R.H. TROIDL
Clerk of Court

absence without leave, one specification of disobeying an officer, one specification of assault, one specification of breaking restriction, one specification of possessing child pornography, and one specification of kidnapping in violation of Articles 86, 90, 128 and 134, Uniform Code of Military Justice, 10 U.S.C. §§ 886, 890, 928, and 934. Consistent with his pleas, he was found not guilty of one specification of rape and three specifications of assault in violation of Articles 120 and 128, UCMJ, 10 U.S.C. §§ 920 and 928. The appellant was sentenced to a dishonorable discharge, confinement for seven years, and forfeiture of all pay and allowances. The convening authority disapproved confinement in excess of five years but approved the rest of the sentence as adjudged. The Navy-Marine Corps Court of Criminal Appeals amended the kidnapping specification to the offense of reckless endangerment in violation of Article 134, UCMJ, 10 U.S.C. § 934, and reassessed the sentence to a bad-conduct discharge, confinement for three years, and forfeiture of all pay and allowances.