

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

**Before  
L.T. BOOKER, J.K. CARBERRY, G.G. GERDING  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**KYLE M. GROSS  
PRIVATE FIRST CLASS (E-2), U.S. MARINE CORPS**

**NMCCA 201000630  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 20 August 2010.

**Military Judge:** LtCol G.W. Riggs, USMC.

**Convening Authority:** Commanding Officer, 3d Marine Special Operations Battalion, Marine Special Operations Regiment, U.S. Marine Forces, Special Operations Command, Camp Lejeune, NC.

**Staff Judge Advocate's Recommendation:** LtCol C.B. Walters, USMC.

**For Appellant:** CAPT Paul Jones, JAGC, USN.

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

**26 April 2011**

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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