

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

**Before
F.D. MITCHELL, R.E. BEAL, D.O. VOLLENWEIDER
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**DAVID D. BOIKE
CORPORAL (E-4), U.S. MARINE CORPS**

**NMCCA 201100019
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 19 August 2010.

Military Judge: LtCol Steven Logan, USMCR.

Convening Authority: Commanding Officer, 7th Marine
Regiment Remain Behind Element, 1st Marine Division (REIN),
Marine Corps Air Ground Combat Center, Twentynine Palms,
CA.

Staff Judge Advocate's Recommendation: Col D.K. Margolin,
USMC.

For Appellant: CDR Luis Leme, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

28 April 2011

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