

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

**Before  
J.K. CARBERRY, F.D. MITCHELL, L.T. BOOKER  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**MARCELO A. ESPARZA III  
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201100034  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 24 September 2010.  
**Military Judge:** LtCol David M. Jones, USMC.  
**Convening Authority:** Commanding Officer, Combat Assault  
Battalion, 3d Marine Division (-)(Rein), Okinawa, Japan.  
**Staff Judge Advocate's Recommendation:** LtCol K.J. Estes,  
USMC.  
**For Appellant:** CAPT Stephen White, JAGC, USN.  
**For Appellee:** LT Kevin D. Shea, JAGC, USN.

**21 June 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