

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

**Before  
J.K. CARBERRY, R.Q. WARD, M.D. MODZELEWSKI  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**ANDREW J. PINEDA  
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 201100585  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 1 August 2011.

**Military Judge:** LtCol Kevin C. Harris, USMC.

**Convening Authority:** Commanding Officer, Headquarters and Support Battalion, Marine Corps Base, Camp Pendleton, CA.

**Staff Judge Advocate's Recommendation:** LtCol P.A. Tafoya, USMC.

**For Appellant:** CAPT Diane L. Karr, JAGC, USN.

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

**28 December 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