

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

**Before  
J.A. MAKSYM, J.E. STOLASZ, M. MCALEVY  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**TIMOTHY S. NICHOLS  
PRIVATE FIRST CLASS (E-2), U.S. MARINE CORPS**

**NMCCA 201200008  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 28 September 2011.

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

**Convening Authority:** Commanding Officer, Marine Air Support Squadron 3, Marine Air Control Group 38, 3d Marine Aircraft Wing, Camp Pendleton, CA.

**Staff Judge Advocate's Recommendation:** Col P.J. Betz, Jr., USMC.

**For Appellant:** LCDR Shannon Llenza, JAGC, USN.

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

**30 April 2012**

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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