

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

**Before  
B.L. PAYTON-O'BRIEN, R.Q. WARD, G.G. GERDING  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**JAVIER MARTINEZ, JR.  
PRIVATE FIRST CLASS (E-2), U.S. MARINE CORPS**

**NMCCA 201200221  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 1 February 2012.

**Military Judge:** CAPT Carrie Stephens, JAGC, USN.

**Convening Authority:** Commanding Officer, Marine Corps Air Facility, MCBH, Kaneohe Bay, HI.

**Staff Judge Advocate's Recommendation:** LtCol T.G. McCann, III, USMC.

**For Appellant:** Maj Emmett Collazo, USMCR.

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

**10 October 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