

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

**Before  
B.L. PAYTON-O'BRIEN, J. R. MCFARLANE, D.R. LUTZ  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**JONATHON R. YBARRA  
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201300041  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 12 October 2012.

**Military Judge:** LtCol Chris Thielemann, USMC.

**Convening Authority:** Commanding Officer, Marine Air Control Squadron 1 (REIN), MACG 38, 3d Marine Aircraft Wing, MCAS Yuma, AZ.

**Staff Judge Advocate's Recommendation:** Capt J.A. Atkinson, USMC.

**For Appellant:** LCDR John Zelinka, JAGC, USN.

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

**21 May 2013**

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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