

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

**Before  
B.L. PAYTON-O'BRIEN, R.G. KELLY, K.K. THOMPSON  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**BRIAN O. EUBANKS  
SERGEANT (E-5), U.S. MARINE CORPS**

**NMCCA 201300054  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 7 November 2012.

**Military Judge:** LtCol Eugene Robinson, Jr., USMC.

**Convening Authority:** Commanding Officer, Headquarters and Headquarters Squadron, Marine Corps Air Station, Iwakuni, Japan.

**Staff Judge Advocate's Recommendation:** LtCol P.S. Rubin, USMC.

**For Appellant:** Maj S. Babu Kaza, USMCR.

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

**9 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