

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

**Before  
M.D. MODZELEWSKI, F.D. MITCHELL, M.K. JAMISON  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**NICHOLAS D. HENES  
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201300439  
GENERAL COURT-MARTIAL**

**Sentence Adjudged:** 24 September 2013.

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

**Convening Authority:** Commanding General, 3d Marine Division  
(-)(Rein), Okinawa, Japan.

**Staff Judge Advocate's Recommendation:** LtCol K.T. Carlisle,  
USMC.

**For Appellant:** CDR Christopher E. Roper, JAGC, USN.

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

**30 January 2014**

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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