

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

**Before
R.Q. WARD, J.R. MCFARLANE, K.M. MCDONALD
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**MICHAEL J. HERZOG
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201400063
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 16 Oct 2013.

Military Judge: LtCol L.J. Francis, USMC.

Convening Authority: Commanding Officer, Headquarters
Battalion, 1st Marine Division, Camp Pendleton, CA.

Staff Judge Advocate's Recommendation: LtCol D.R. Kazmier,
USMC.

For Appellant: CAPT Bree Ermentrout, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

8 April 2014

OPINION OF THE COURT

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