

**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.**

**MATTHEW K. DAVIS  
GUNNERY SERGEANT (E-7), U.S. MARINE CORPS**

**NMCCA 201400112  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 5 Dec 2013.

**Military Judge:** LtCol E.A. Harvey, USMC.

**Convening Authority:** Commanding Officer, Headquarters and Service Battalion, Marine Corps Recruit Depot, San Diego, CA.

**Staff Judge Advocate's Recommendation:** Maj J.E. Ming, USMC.

**For Appellant:** CAPT Bree Ermentrout, JAGC, USN.

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

**30 April 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