

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

**Before  
R.Q. WARD, D.C. KING, S.A. DOMINGUEZ  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**MICHAEL J. HERZOG  
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 201400204  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 29 January 2014.

**Military Judge:** Col M.B. Richardson, USMC.

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

**Staff Judge Advocate's Recommendation:** Maj V.G. Laratta,  
USMC.

**For Appellant:** CDR Sabatino F. Leo, JAGC, USN.

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

**28 August 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