

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

**Before  
J.R. MCFARLANE, M.C. HOLIFIELD, P.D. LOCHNER  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**DAVID E. HARLEY  
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201400233  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 3 April 2014.

**Military Judge:** LtCol C.M. Greer, USMC.

**Convening Authority:** Commanding Officer 1st Battalion, 10th  
Marines, 2d Marine Division, Camp Lejeune, NC.

**Staff Judge Advocate's Recommendation:** Col R.A. Fifer,  
USMC.

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

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

**30 September 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