

**UNITED STATES NAVY–MARINE CORPS
COURT OF CRIMINAL APPEALS**

No. 201600363

UNITED STATES OF AMERICA

Appellee

v.

ALEX J. KIRBY

Private (E-1), U.S. Marine Corps

Appellant

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge: Major Mark D. Sameit, USMC.

Convening Authority: Commanding General, 1st Marine Division
(REIN), Camp Pendleton, CA.

Staff Judge Advocate's Recommendation: Lieutenant Colonel
Matthew J. Stewart, USMC.

For Appellant: Captain James Kresge, USMCR.

For Appellee: Brian K. Keller, Esq.

Decided 17 March 2017

Before CAMPBELL, HUTCHISON, and MILLER, *Appellate Military
Judges*

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

