

Wednesday, 10 July 2013

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***United States v. Mancillas***

**Panel Three: M.D. Modzelewski, C.K. Joyce, R.Q. Ward  
Appellate Military Judges**

**For Appellant: LT Gabriel K. Bradley, JAGC, USN**

**For Appellee: Major David N. Roberts, USMC**

A general court-martial, composed of a military judge alone, convicted the appellant on 6 November 2003, pursuant to his pleas, of conspiracy to distribute marijuana, two specifications of unauthorized absence, two specifications of making false official statements, and wrongful distribution and use of marijuana, in violation of Articles 81, 86, 107, and 112a, Uniform Code of Military Justice, 10 U.S.C. §§ 881, 886, 907, and 912a. The military judge sentenced the appellant to confinement for seven years, forfeiture of all pay and allowances, reduction to pay grade E-1, and a dishonorable discharge. The convening authority approved the sentence as adjudged and, in accordance with the pretrial agreement, suspended all confinement in excess of six years for a period of twelve months from the date of the convening authority's action. The case is before this court for completion of appellate review pursuant to Article 66, UCMJ. *United States v. Mancillas*, No. 200401950, 2006 CCA LEXIS 339, unpublished op. (N.M.Ct.Crim.App. 18 Dec 2006), *remanded by* 65 M.J. 412 (C.A.A.F. 2007), *vacated by* 2012 CCA LEXIS 134, unpublished op. (N.M.Ct.Crim.App. 17 Apr 2012).

The Court will hear oral argument on the appellant's motion for fifth enlargement of time to establish a proffer in support of any further enlargements in compliance with NMCCA rules.