

Wednesday, 24 October 2012

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United States v. McVeigh

Panel Three: J.R. Perlak, M.D. Modzelewski, C.K. Joyce
Appellate Military Judges

For Appellant: LT Ryan Mattina, JAGC, USN

For Appellee: LT Philip Reutlinger, JAGC, USN

A general court-martial composed of officer members convicted the appellant, contrary to his pleas, of two specifications of involuntary manslaughter in violation of Article 119, UCMJ, and one specification of assault consummated by a battery upon a child under 16 years, in violation of Article 128, UCMJ, 10 U.S.C. §§ 919, 928 (2006). The members sentenced the appellant to reduction to pay grade E-1, forfeiture of all pay and allowances, confinement for 12 years, and a dishonorable discharge. The Convening Authority approved the sentence as adjudged and, except for the punitive discharge, ordered it executed.

The issue to be argued before the Court is as follows:

WHETHER THE COURT SHOULD GRANT THE APPELLANT'S MOTION FOR A FIFTH ENLARGEMENT OF TIME.