

Wednesday, 4 December 2013

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*United States v. Crawford*

**Before Panel 2 of the Court**

**For Appellant: CAPT Tierney M. Carlos, JAGC, USN**

**For Appellee: Capt Matthew Harris, USMC**

A military judge sitting as a general court-martial convicted the appellant, pursuant to his pleas, of conspiracy, unauthorized absence, willful dereliction of duty, making false official statements, and larceny of military property valued over \$500 in violation of Articles 81, 86, 92, 107, and 121 UCMJ, 10 U.S.C. § 881, 886, 892, 907, 921. The military judge sentenced the appellant to forty-six months confinement, reduction to pay-grade E-1, and a bad-conduct discharge. The convening authority approved the sentence as adjudged and, except for the bad-conduct discharge, ordered it executed. In accordance with a pretrial agreement, the convening authority suspended all confinement in excess of thirty-nine months.

The issue to be argued before the Court is:

**WHETHER THIRTY-NINE MONTHS CONFINEMENT IS  
APPROPRIATE, GIVEN THE NON-VIOLENT NATURE OF THE  
OFFENSES AND WHERE APPELLANT IS A COMBAT DECORATED  
MARINE WHO SUFFERED SERIOUS AND PERMANENT INJURIES  
DURING HIS COMBAT DEPLOYMENT?**