

Wednesday, 3 April 2013

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*United States v. Campbell*

Panel Two: B.L. Payton-O'Brien, R.Q. Ward, J.R. McFarlane  
Appellate Military Judges

For Appellant: LCDR Nathaniel R. Gross, JAGC, USN

For Appellee: LT Ian D. MacLean, JAGC, USN

A military judge, sitting as a special court-martial, convicted the appellant, consistent with his pleas, of one specification of larceny in violation of Article 121, Uniform Code of Military Justice, 10 U.S.C. § 921. The military judge sentenced the appellant to a fine of \$1,142.00, reduction to pay grade E-1, 75-days confinement, and a bad-conduct 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 MILITARY JUDGE ABUSED HIS DISCRETION WHEN HE  
ACCEPTED APPELLANT'S GUILTY PLEA TO LARCENY ON SEVERAL  
OCCASIONS OF AN AMOUNT IN EXCESS OF \$500 WHERE NO SINGLE  
LARCENY EXCEEDED \$118.71?