

Wednesday, 26 June* 2013

1330

United States v. Paris

Panel Three: M.D. Modzelewski, E.C. Price, C.K. Joyce
Appellate Military Judges

For Appellant: LT Gabriel Bradley, JAGC, USN

For Appellee: LCDR Keith Lofland, JAGC, USN
Capt Samuel Moore, USMC

A panel of members with enlisted representation, sitting as a special court-martial, convicted the appellant, contrary to his plea, of attempting to access, with the intent to view, child pornography in violation of Article 134, Uniform Code of Military Justice, 10 U.S.C. § 934. The members sentenced the appellant to reduction to the pay grade E-1 and a bad-conduct discharge. The convening authority approved the sentence as adjudged, and except for the punitive discharge, ordered it executed.

The issues to be argued before the Court are as follows:

- I. WHETHER THE APPELLANT'S ENTRY OF TERMS INTO A SEARCH ENGINE WAS A "SUBSTANTIAL STEP" TOWARD THE COMMISSION OF THE OFFENSE.
- II. WHETHER THE EVIDENCE PROVED BEYOND A REASONABLE DOUBT THAT THE APPELLANT HAD THE SPECIFIC INTENT TO ACCESS WEBSITES CONTAINING CHILD PORNOGRAPHY.

*Rescheduled from 22 May 2013