

Wednesday, 27 September 2017 (1000)  
U.S. Navy-Marine Corps Court of Criminal Appeals Courtroom  
Washington Navy Yard  
1254 Charles Morris Street SE, Washington, DC 20374

*United States v. Chamblin*, NMCCA No. 201500388

**Before Panel 2 of the Court:** Senior Judge Hutchison  
Judge Fulton  
Judge Sayegh

**For Appellant:** LT Andrew Austria, JAGC, USN

**For Appellee:** LT Megan Marinos, JAGC, USN

A military judge sitting as a special court-martial convicted the appellant, pursuant to his pleas, of one specification of willful dereliction of duty, two specifications of violating a lawful general order, and one specification of wrongfully urinating on deceased enemy combatants in violation of Articles 92 and 134, Uniform Code of Military Justice, 10 U.S.C. §§ 892 and 934 (2008). The military judge sentenced the appellant to thirty days' confinement, sixty days' restriction, reduction to pay grade E-3, forfeiture of \$500 pay per month for six months, and a \$2,000 fine. Pursuant to a pretrial agreement, the convening authority disapproved the sixty days' restriction, \$2,000 fine, and reduction below pay grade E-5, suspended execution of confinement and forfeiture of \$500 pay beyond one month, and then ordered the sentence executed.

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

- I. **IN LIGHT OF THE SUPREME COURT'S DECISION IN *BRADY V. MARYLAND*, 373 U.S. 83 (1963), DID THE GOVERNMENT VIOLATE STAFF SERGEANT CHAMBLIN'S CONSTITUTIONAL RIGHT TO DUE PROCESS WHEN IT FAILED TO PROVIDE EVIDENCE OF UNLAWFUL COMMAND INFLUENCE THAT WAS FAVORABLE AND MATERIAL EVIDENCE?**
  
- II. **WHETHER THE COMMANDANT OF THE MARINE CORPS AND HIS SUBORDINATE PERSONNEL EXERTED UNLAWFUL COMMAND INFLUENCE AND/OR CREATED THE APPEARANCE OF UNLAWFUL COMMAND INFLUENCE OVER STAFF SERGEANT CHAMBLIN'S COURT-MARTIAL.**