

**UNITED STATES NAVY-MARINE CORPS
COURT OF CRIMINAL APPEALS
WASHINGTON, D.C.**

**Before
F.D. MITCHELL, R.E. BEAL, D.O. VOLLENWEIDER
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**RICHARD R. USHER
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 200900351
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 12 March 2009.

Military Judge: LtCol Peter Rubin, USMC.

Convening Authority: Commanding Officer, Marine Aircraft
Group 11 (REIN), MCAS Miramar, San Diego, CA.

Staff Judge Advocate's Recommendation: LtCol K.J. Brubaker,
USMC.

For Appellant: CAPT Diane Karr, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

30 November 2009

OPINION OF THE COURT

After careful consideration of the record, submitted without assignment of error, we affirm the findings and sentence as approved by the convening authority. Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c).

For the Court

R.H. TROIDL
Clerk of Court