

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

**Before  
F.D. MITCHELL, J.A. MAKSYM, R.E. BEAL  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**ALEX J. LEIVA  
CORPORAL (E-4), U.S. MARINE CORPS**

**NMCCA 200900627  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 10 December 2008.

**Military Judge:** Maj Brian Kasprzyk, USMCR.

**Convening Authority:** Commanding Officer, 1st Battalion,  
7th Marines, 1st Marine Division, Marine Corps Air Ground  
Combat Center, Twentynine Palms, CA.

**Staff Judge Advocate's Recommendation:** Col B.D. Landrum,  
USMC.

**For Appellant:** LCDR Edward George, JAGC, USN.

**For Appellee:** Mr. Brian Keller, Esq.

**25 February 2010**

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**OPINION OF THE COURT**  
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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