

**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.**

**MICHAEL A. FRAUSTO  
PRIVATE FIRST CLASS (E-2), U.S. MARINE CORPS**

**NMCCA 201000001  
GENERAL COURT-MARTIAL**

**Sentence Adjudged:** 20 August 2009.

**Military Judge:** CAPT Ross Leuning, JAGC, USN.

**Convening Authority:** Commander, 2d Marine Division, Camp  
Lejeune, NC.

**Staff Judge Advocate's Recommendation:** Col W.G. Perez,  
USMC.

**For Appellant:** CDR Don Evans, JAGC, USN.

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

**31 March 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