

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

**Before  
C.L. REISMEIER, J.A. MAKSYM, R.E. BEAL  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**JOHN T. GOFF  
CORPORAL (E-4), U.S. MARINE CORPS**

**NMCCA 200900684  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 14 August 2009.

**Military Judge:** LtCol David Jones, USMC.

**Convening Authority:** Commanding Officer, Marine Wing Support Squadron 172, Marine Wing Support Group 17, 1st Marine Aircraft Wing, Okinawa, Japan.

**Staff Judge Advocate's Recommendation:** Maj J.E. Galvin, USMC.

**For Appellant:** LT Ryan Santicola, JAGC, USN.

**For Appellee:** Capt Michael Aniton, USMC.

**18 May 2010**

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**OPINION OF THE COURT**  
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**IN ACCORDANCE WITH RULE 18.2, NMCCA RULES OF PRACTICE AND PROCEDURE, THIS  
OPINION DOES NOT SERVE AS PRECEDENT.**

PER CURIAM:

A military judge sitting as a special court-martial convicted the appellant, pursuant to his pleas, of assault and drunk and disorderly conduct, in violation of Articles 128 and 134, Uniform Code of Military Justice, 10 U.S.C. §§ 928 and 934, and contrary to his pleas, of willfully damaging military property and assault, in violation of Articles 108 and 128, UCMJ, 10 U.S.C. §§ 908 and 928. The military judge sentenced the appellant to confinement for eight months and a bad-conduct discharge. The convening authority approved the findings and

sentence as adjudged, and except for the discharge, ordered the sentence executed.

The appellant submitted three assignments of error, alleging the evidence is factually insufficient to affirm the appellant's convictions for willfully damaging military property and for assaulting his wife on 10 February 2009 and 19 June 2009. The latter two assignments of error were submitted pursuant to *United States v. Grostefon*, 12 M.J. 431 (C.M.A. 1982). We have considered assignments of error I, II, and III and found them to be without merit. *United States v. Reed*, 54 M.J. 37, 42 (C.A.A.F. 2000) (citing *United States v. Matias*, 25 M.J. 356 (C.M.A. 1987)).

After weighing the evidence in the record of trial and making allowances for not having personally observed the witnesses, we are convinced of the appellant's guilt beyond a reasonable doubt. *United States v. Turner*, 25 M.J. 324, 325 (C.M.A. 1987). We conclude that the findings and the sentence are correct in law and fact and that no error materially prejudicial to the substantial rights of the appellant was committed. Arts. 59(a) and 66(c), UCMJ.

#### **Conclusion**

Accordingly, we affirm the findings and sentence, as approved by the convening authority.

For the Court

R.H. TROIDL  
Clerk of Court