

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

**Before
M.D. MODZELEWSKI, G.G. GERDING, D.O. HARRIS
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

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

**NMCCA 201200026
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 2 September 2011.

Military Judge: LtCol Chris J. Thielemann, USMC.

Convening Authority: Commanding Officer, 3d Assault Amphibian Battalion, Marine Corps Base, Camp Pendleton, CA.

Staff Judge Advocate's Recommendation: Maj V.G. Laratta, USMC.

For Appellant: LT Kevin S. Quencer, JAGC, USN.

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

7 August 2012

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