

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

**Before  
B.L. PAYTON-O'BRIEN, R.Q. WARD, J.R. MCFARLANE  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**NICHOLAS A. MILLICAN III  
GUNNER'S MATE THIRD CLASS (E-4), U.S. NAVY**

**NMCCA 201200389  
GENERAL COURT-MARTIAL**

**Sentence Adjudged:** 17 May 2012.

**Military Judge:** CAPT Kevin O'Neil, JAGC, USN.

**Convening Authority:** Commander, Navy Region Southwest, San Diego, CA.

**Staff Judge Advocate's Recommendation:** CDR J.M. Nilsen, JAGC, USN.

**For Appellant:** LT Gabriel Bradley, JAGC, USN.

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

**7 November 2012**

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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