

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

**Before
J.R. PERLAK, E.C. PRICE, C.K. JOYCE
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**ANDREW A. RUBIO, JR.
CORPORAL (E-4), U.S. MARINE CORPS**

**NMCCA 201300159
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 7 March 2013.

Military Judge: Col Daniel J. Daugherty, USMC.

Convening Authority: Commanding Officer, Headquarters and Service Battalion, Marine Corps Base, Quantico, VA.

Staff Judge Advocate's Recommendation: Maj C.M. Hoover, USMC.

For Appellant: LCDR Shannon A. Llenza, JAGC, USN.

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

30 July 2013

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

Chief Judge PERLAK participated in the decision of this case prior to detaching from the court.