

**UNITED STATES NAVY–MARINE CORPS
COURT OF CRIMINAL APPEALS**

No. 201600348

UNITED STATES OF AMERICA

Appellee

v.

MICHAEL D. FOSTER

Private First Class (E-2), U.S. Marine Corps

Appellant

Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge: Lieutenant Colonel Eugene H. Robinson, Jr., USMC.
Convening Authority: Commanding Officer, Headquarters Battalion,
3d Marine Division, Okinawa, Japan.

Staff Judge Advocate's Recommendation: Major Timothy S. Taylor,
USMC.

For Appellant: Captain Bree A. Ermentrout, JAGC, USN.

For Appellee: Brian K. Keller, Esq.

Decided 7 February 2017

Before CAMPBELL, RUGH, and BELSKY, *Appellate Military Judges*

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. TRIDL
Clerk of Court

