

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

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**No. 201600404**

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**UNITED STATES OF AMERICA**

Appellee

v.

**NICHOLAS R. FAIRBROTHER**

Gunner's Mate First Class (E-6), U.S. Navy

Appellant

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Appeal from the United States Navy-Marine Corps Trial Judiciary

Military Judge: Captain Bethany L. Payton-O'Brien, JAGC, USN.

Convening Authority: Commanding Officer, Naval Air Station,  
Lemoore, CA.

Staff Judge Advocate's Recommendation: Lieutenant Commander  
Matthew S. Bailey, JAG, USN.

For Appellant: Lieutenant Kurt W. Siegal, JAGC, USN.

For Appellee: Brian K. Keller, Esq.

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Decided 21 September 2017

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Before HUTCHISON, FULTON, and SAYEGH, *Appellate Military Judges*

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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

