

**UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS
Washington, D.C.**

UNITED STATES

v.

**Oscar CRUZ, Jr.
Seaman (E-3), U.S. Coast Guard**

CGCMS 24429

Docket No. 1331

19 August 2010

Special Court-Martial convened by Commander, Sector Houston-Galveston. Tried at Houston, Texas, on 12 November 2009.

Military Judge:	CAPT Gary E. Felicetti, USCG
Trial Counsel:	LT Demetrius T. Cheeks, USCGR
Defense Counsel:	LT Patrick K. Korody, JAGC, USN LCDR Christopher A. Tribolet, USCG
Appellate Defense Counsel:	LT Kelley L. Tiffany, USCGR
Appellate Government Counsel:	LCDR Douglas K. Daniels, USCG

BEFORE
McCLELLAND, KENNEY¹ & McTAGUE
Appellate Military Judges

Per curiam:

Appellant was tried by special court-martial, military judge alone. Pursuant to his pleas of guilty, entered in accordance with a pretrial agreement, Appellant was convicted of twenty specifications of larceny, in violation of Article 121, UCMJ. The military judge sentenced Appellant to confinement for 120 days, reduction to E-1, a \$2,500.00 fine, and a bad-conduct discharge. Pursuant to the pretrial agreement, the Convening Authority disapproved confinement in excess of ninety days and the \$2,500.00 fine, and otherwise approved the sentence as adjudged.

¹ Judge KENNEY did not participate in the decision.

United States v. Oscar CRUZ, Jr., No. 1331 (C.G.Ct.Crim.App. 2010)

Before this court, without admitting that the findings and sentence are correct in law and fact, Appellant has submitted this case on its merits as to any and all errors.

Decision

We have reviewed the record in accordance with Article 66, UCMJ. Upon such review, the findings and sentence are determined to be correct in law and fact and, on the basis of the entire record, should be approved. Accordingly, the findings of guilty and the sentence, as approved below, are affirmed.



For the Court,

L. I. McClelland
Chief Judge