

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

UNITED STATES

v.

**Robert S. TIJERINA,
Electronics Technician (E-4), U.S. Coast Guard**

CGCMS 24395

Docket No. 1306

July 13, 2009

Special Court-Martial convened by Commanding Officer, USCGC GALLATIN (WHEC-721).
Tried at Charleston, South Carolina, on 15 January 2008.

Military Judge:	CAPT Brian M. Judge, USCG
Trial Counsel:	LT Benedict S. Gullo, USCGR
Assistant Trial Counsel:	LT Neal J. Lawson, USCGR
Defense Counsel:	LT Ryan C. Mattina, JAGC, USN
Appellate Defense Counsel:	LCDR Angela R. Watson, USCG
Appellate Government Counsel:	CDR Stephen P. McCleary, USCG

BEFORE
MCCLELLAND, TOUSLEY & CHANEY
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 one specification of conspiracy, in violation of Article 81, Uniform Code of Military Justice (UCMJ); one specification of making a false official statement, in violation of Article 107, UCMJ; one specification each of wrongfully using marijuana and wrongfully using cocaine, both in violation of Article 112a, UCMJ; and one specification each of an indecent act and obstructing justice, both in violation of Article 134, UCMJ. The military judge sentenced Appellant to confinement for three months, reduction to E-1, and a bad-conduct discharge. The Convening Authority approved the sentence as adjudged. The pretrial agreement did not affect the sentence.

United States v. Robert S. TIJERINA, No. 1306 (C.G.Ct.Crim.App. 2009)

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,

Ryan M. Gray
Clerk of the Court