

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

**UNITED STATES**

**v.**

**Isael L. LEMUS  
Chief Machinery Technician (E-7), U.S. Coast Guard Reserve**

**CGCMG 0259**

**Docket No. 1322**

**26 March 2010**

General Court-Martial convened by Commander, Maintenance & Logistic Command Pacific.  
Tried at Alameda, California, on 14 January 2009.

Military Judge:	CAPT Gary E. Felicetti, USCG
Trial Counsel:	LT Jowcol I. Viña, USCGR
Assistant Trial Counsel:	LT Austin D. Shutt, USCGR
Civilian Defense Counsel:	Mr. Neil A. Puckett
Detailed Defense Counsel:	LTJG Benjamin B. Garcia, JAGC USNR
Appellate Defense Counsel:	LCDR J. Scott Howard, USCG
Appellate Government Counsel:	LT Emily P. Reuter, USCG

**BEFORE**  
**McCLELLAND, TOUSLEY & CHANEY**  
Appellate Military Judges

Per curiam:

Appellant was tried by general 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 committing an indecent act upon a female less than 16 years of age, in violation of Article 134, Uniform Code of Military Justice (UCMJ). The military judge sentenced Appellant to confinement for forty-five months, reduction to E-1, and a dishonorable discharge. The Convening Authority approved the sentence as adjudged, and suspended confinement in excess of eighteen months, pursuant to the pretrial agreement.

**United States v. Isael L. LEMUS, No. 1322 (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,

Gail M. Reese  
Clerk of the Court