

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

UNITED STATES

v.

**Daniel S. DEZOTELL,
Machinery Technician Second Class (E-5), U.S. Coast Guard**

CGCMS 24458

Docket No. 1348

24 January 2012

Special Court-Martial convened by Commanding Officer, Coast Guard Naval Engineering Support Unit Alameda. Tried at Alameda, California, on 15 February 2011.

Military Judge:	CAPT Gary E. Felicetti, USCG
Trial Counsel:	LT Michael J. Meyer, USCGR
Assistant Trial Counsel:	LT Grace E. Oh, USCGR
Individual Military Counsel	LT Ronald C. Lenert, JAGC, USN
Detailed Defense Counsel:	LT Andrew J. Hofland, JAGC, USN
Appellate Defense Counsel:	LT Kate J. Grossman, USCGR
	LCDR Paul R. Casey, USCG
Appellate Government Counsel:	LT Frances S. Johnson-Gillion, USCGR

BEFORE
McCLELLAND, HAVRANEK & JOHNSON
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 to wrongfully use Oxycodone, in violation of Article 81, Uniform Code of Military Justice (UCMJ); one specification of failure to obey a lawful general regulation, in violation of Article 92, UCMJ; and one specification of wrongfully using marijuana, one specification of wrongfully using Oxycodone, and one specification of wrongfully introducing Oxycodone onto an installation of the armed forces, all in violation of Article 112a, UCMJ. The military judge sentenced Appellant to a bad-conduct discharge, reduction to E-1, and confinement for 120 days. The Convening Authority approved the sentence as adjudged, and suspended the bad-

United States v. Daniel S. DEZOTELL, No. 1348 (C.G.Ct.Crim.App. 2012)

conduct discharge and confinement in excess of thirty days, in accordance with the pretrial agreement.

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,

John T. Ure
Clerk of the Court