

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

UNITED STATES

v.

**Keith A. DALPOZZO
Machinery Technician First Class (E-6), U.S. Coast Guard**

CGCMG 0270

Docket No. 1339

8 February 2011

General Court-Martial convened by Commander, First Coast Guard District. Tried at Manhattan, New York, on 12 January 2010.

Military Judge:	CAPT Gary E. Felicetti, USCG
Trial Counsel:	LCDR John D. Cashman, USCG
Defense Counsel:	LT Mark E. deVry, JAGC, USNR
Appellate Defense Counsel:	LT Eric J. Lobsinger, USCGR
Appellate Government Counsel:	LCDR Douglas K. Daniels, USCG

**BEFORE
McCLELLAND, McTAGUE¹ & SELMAN
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 violating 18 U.S.C. 2252A by possessing child pornography, in violation of Article 134, Uniform Code of Military Justice. The military judge sentenced Appellant to confinement for fifteen months, reduction to E-1, and a dishonorable discharge. In accordance with the pretrial agreement, the Convening Authority mitigated the dishonorable discharge to a bad-conduct discharge, otherwise approved the sentence, and suspended confinement in excess of twelve months.

¹ Judge McTague did not participate in this decision.

United States v. Keith A. DALPOZZO, No. 1339 (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,

Brian J Barnes
Clerk of the Court