

UNITED STATES COAST GUARD COURT OF CRIMINAL APPEALS

UNITED STATES

v.

Justin R. WAITE
Food Service Specialist Second Class (E-5), U.S. Coast Guard

CGCMG 0284

Docket No. 1367

16 November 2012

General Court-Martial convened by Commander, Thirteenth Coast Guard District. Tried at Seattle, Washington, on 21 October 2011 and 16 December 2011.

Military Judge:	CAPT Michael E. Tousley, USCG
Trial Counsel:	LT Tereza Z. Ohley, USCGR
Assistant Trial Counsel:	LCDR Marianne M. Gelakoska, USCG
Civilian Defense Counsel:	Mr. Charles D. Swift, Esq.
Military Defense Counsel:	LT Jennifer L. Pollio, JAGC, USN
Appellate Defense Counsel:	LT Jonathan C. Perry, USCGR
Appellate Government Counsel:	LCDR Vasilios Tasikas, USCG

BEFORE
McCLELLAND, McGUIRE¹ & NORRIS
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 five specifications of indecent exposure, in violation of Article 120, Uniform Code of Military Justice (UCMJ). The military judge sentenced Appellant to confinement for thirty months, reduction to E-1, and a bad-conduct discharge. The Convening Authority approved the sentence, and suspended confinement in excess of twenty-four months in accordance with the pretrial agreement.

¹ Judge McGuire did not participate in this decision.

United States v. Justin R. Waite, No. 1367 (C.G.Ct.Crim.App. 2012)

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,

Andrew R. Alder
Clerk of the Court

