

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

UNITED STATES

v.

**Caleb MORALES
Seaman (E-3), U.S. Coast Guard**

CGCMS 24459

Docket No. 1349

30 December 2011

Special Court-Martial convened by Commander, Coast Guard Telecommunication and Information Systems Command. Tried at Arlington, Virginia, on 30 September 2010.

Military Judge:	CDR Christine N. Cutter, USCG
Trial Counsel:	LT Emily M. Gibbons, USCGR
Defense Counsel:	LT J. C. Sylvan, JAGC, USN
Appellate Defense Counsel:	LT Lynn A. Buchanan, USCGR
Appellate Government Counsel:	LT Frances S. Johnson-Gillion, USCGR

BEFORE
McCLELLAND, McGUIRE¹ & McTAGUE
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 two specifications of conspiracy to use cocaine, one specification of conspiracy to possess cocaine, and one specification of conspiracy to purchase illegal firearms, all in violation of Article 81, Uniform Code of Military Justice (UCMJ); and one specification of wrongfully possessing cocaine and one specification of wrongfully using cocaine, all in violation of Article 112a, UCMJ. The military judge sentenced Appellant to a bad-conduct discharge, confinement for ten months, and reduction to E-1. The Convening Authority approved the sentence as adjudged, and suspended confinement in excess of nine months in accordance with the pretrial agreement.

¹ Judge McGuire did not participate in this decision.

United States v. Caleb MORALES, No. 1349 (C.G.Ct.Crim.App. 2011)

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