

**IN THE UNITED STATES COAST GUARD  
COURT OF CRIMINAL APPEALS**

UNITED STATES,  
Appellee

v.

CHRISTIAN STODDARD CASTRO,  
Seaman (E-3)  
United States Coast Guard,  
Appellant

) 5 March 2018  
)  
)  
) ANSWER AND BRIEF ON BEHALF  
) OF THE UNITED STATES  
)  
) Docket No. 1459  
) Case No. G 0362  
) Panel Twenty-Two  
)  
) Tried at Mayport, FL by a general court-martial  
) convened by Commander, Seventh Coast Guard  
) District, on 14-15 July 2016  
)

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**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES  
COAST GUARD COURT OF CRIMINAL APPEALS**

The United States, through undersigned counsel, submits this answer and brief in accordance with Rule 15 of this honorable Court's Rules of Practice and Procedure.

**STATEMENT OF THE CASE**

The United States concurs with Appellant's statement of the case.

**STATEMENT OF FACTS**

A recitation of the facts is not necessary for the resolution of this case.

**ARGUMENT**

The undersigned counsel, having carefully examined the record of trial in this case, submits that the findings and sentence are correct in fact and law. There was delay in the post-trial processing of this case beyond the time periods prescribed in *United States v. Moreno*. The delay is attributed in part to the fact that the Appellant engaged in post-trial misconduct which warranted additional investigation and procedural hearings. Additionally, the military justice records custodian faced difficulties in compiling and assembling the record of trial. Here, the

Appellant has not asserted the right to timely review, and he has not asserted any prejudice. Considering the post-trial delay, along with all the other facts and circumstances of this case, no relief should be granted.

**PRAYER FOR RELIEF**

WHEREFORE, the United States prays that this honorable Court affirm the approved findings and sentence.

Respectfully submitted,

Date: 5 March 2018

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**CERTIFICATE OF FILING AND SERVICE**

I certify that the foregoing was delivered to the Court and opposing counsel on 5 March 2018.

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