

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

UNITED STATES,)	16 February 2018
Appellee)	
)	BRIEF ON BEHALF OF APPELLANT
v.)	
)	Dkt. 1459
)	Case No. CGCMG 0362
)	Panel 22
Christian Stoddard Castro)	
Seaman)	Tried at Mayport, FL by a General Court-martial
U. S. Coast Guard,)	convened by Commander, Seventh Coast Guard
Appellant)	District, on 14-15 July 2016

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

Statement of the Case

A military judge sitting as a general court-martial convened by Commander, Seventh Coast Guard District tried Appellant, Seaman (SN) Christian Stoddard-Castro, United States Coast Guard (USCG), at Mayport, Florida on 14-15 July 2016. Consistent with his pleas, SN Stoddard-Castro was found guilty of one specification of being absent without leave, one specification of failure to obey an order, two specifications of damaging property other than military property, one specification of wrongful use of a controlled substance, three specifications of assault, and one specification of disorderly conduct in violations of Articles 86, 92, 109, 112a, 128, and 134 of the Uniform Code of Military Justice (UCMJ), 10 U.S.C. § 886, 892, 909, 912a, 928, 934.

The appellant was found not guilty of two specifications of abusive sexual contact in violation of Article 120, UCMJ, 10 U.S.C. § 920, but guilty to the lesser included offense of assault consummated by battery in violation of Article 128, UCMJ, 10 U.S.C. § 928. Multiple

charges were withdrawn and dismissed including one specification of wrongful possession of a controlled substance, three specifications of rape, sexual assault and abusive sexual contact, two specifications of larceny, and four specifications of assault in violations of Articles 112a, 120, 121 and 128 UCMJ, 10 U.S.C. § 912a, 920, 921, 928.

The military judge sentenced the appellant to reduction in rank to E-1, four years confinement, and a bad conduct discharge. The convening authority acted on 20 April 2017, approved the sentence and, except for the punitive discharge, ordered the sentence executed. Because of the sentence, this case falls within this Court's jurisdiction pursuant to Article 66(b)(1), UCMJ, 10 U.S.C. § 866(b)(1).

Statement of Facts

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

Errors and Argument

Undersigned counsel, having carefully examined the record of trial in this case, and without admitting that the findings and sentence are correct in fact and law, submits this case to the Court on its merits as to any and all errors.

WHEREFORE, Appellant so prays.

DATE: 16 February 2018

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was delivered to the Court and opposing counsel via email on 16 February 2018.

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