

CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

Bertadillo Natalia J [REDACTED] E-3/LCpl
(Last Name) (First Name) MI (DoD ID No.) (Rank)

Headquarters Battalion, 2d Marine Division USMC Camp Lejeune, NC
(Unit/Command Name) (Branch of Service) (Location)

By

General Court-Martial (GCM)
(GCM, SPCM, or SCM)

COURT-MARTIAL

Convened by

Commanding General
(Title of Convening Authority)

2d Marine Division
(Unit/Command of Convening Authority)

Tried at

Camp Lejeune, NC
(Place or Places of Trial)

On

11 May 2021 & 16 August 2021
(Date or Dates of Trial)

Companion and other cases

None

(Rank, Name, DOD ID No., (if applicable), or enter "None")

CONVENING ORDER



UNITED STATES MARINE CORPS

2D MARINE DIVISION
FLEET MARINE FORCE
PSC BOX 20080
CAMP LEJEUNE, NC 28542-0003

IN REPLY REFER TO:
5800
GCMCO 1-21

JAN 11 2021

GENERAL COURT-MARTIAL CONVENING ORDER 1-21

1. Pursuant to the authority contained in Article 23, Uniform Code of Military Justice, Rules for Courts-Martial 504, and section 0120, Manual of the Judge Advocate General, a General Court-Martial is hereby convened with the following members. It may proceed at Marine Corps Base Camp Lejeune, North Carolina, or any such place as directed. The court will be constituted as follows:

MEMBERS

Lieutenant Colonel [REDACTED] U.S. Marine Corps
Lieutenant Colonel [REDACTED] U.S. Marine Corps
Major [REDACTED] U.S. Marine Corps
Major [REDACTED] U.S. Marine Corps
Major [REDACTED] U.S. Marine Corps
Major [REDACTED] U.S. Marine Corps
Major [REDACTED] U.S. Marine Corps
Major [REDACTED] U.S. Marine Corps
Captain [REDACTED] U.S. Marine Corps
Captain [REDACTED] U.S. Marine Corps
Captain [REDACTED] U.S. Marine Corps
First Lieutenant [REDACTED] U.S. Ma

[REDACTED]
F. L. DONOVAN

ORIGINAL

CERTIFIED TRUE COPY

CHARGE SHEET

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, Middle Initial) BERTADILLO, Natalia J.			2. EDIPI [REDACTED]	3. GRADE OR RANK LCpl	4. PAY GRADE E-3
5. UNIT OR ORGANIZATION Headquarters Battalion, 2d Marine Division, Camp Lejeune, North Carolina			6. EAS 5 May 23	6b. CURRENT SERVICE	
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED Pretrial Restriction Pretrial Confinement	9. DATE(S) IMPOSED	
a. BASIC \$2,103.90	b. SEA/FOREIGN DUTY \$0.00	c. TOTAL \$2,103.90		a. INITIAL DATE 6 May 19	b. TERM 4 Yrs
				22 Jan 21 – 2 Feb 21 3 Feb 21 – Present	

II. CHARGES AND SPECIFICATIONS

10.

Charge I: Violation of the UCMJ, Article 86

Specification (Failure to go): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, ~~on divers occasions~~, on or about 23 January 2021, without authority, fail to go at the time prescribed to her appointed place of duty, to wit: restriction muster.

Charge II: Violation of the UCMJ, Article 107

Specification (False Official Statement): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, at or near Marine Corps Base Camp Lejeune, North Carolina, on or about 3 January 2021, with intent to deceive, make to The Naval Criminal Investigative Service, an official statement, to wit: a tip line report that Corporal [REDACTED] U.S. Marine Corps, "uses and sells [OxyContin and Weed]", or words to that effect, which statement was totally false, and was then known by the said Lance Corporal BERTADILLO to be so false.

(See Supplemental Page)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, Middle Initial) [REDACTED]	b. GRADE LCpl	c. ORGANIZATION OF ACCUSER HqSptBn, MCI-East, MCB, Camp Lejeune, NC
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE (YYYYMMDD) 20210211

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser this 11th day of February, 2021, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

J. A. REHAK
Typed Name of Officer

HqSptBn, MCI-East, MCB, Camp Lejeune, NC
Organization of Officer

Captain, U. S. Marine Corps
Grade

Judge Advocate

Official Capacity to Administer Oath
(See R.C.M. 307 (b) must be commissioned officer)

REHAK.JOSHUA.AARON
PETERSON [REDACTED]
Digitally signed by REHAK.JOSHUA.AARONPETERSON
Date: 2021.02.11 17:53:29 -05'00'
Signature

12. On February 22, 2021, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[REDACTED]
Typed Name of Immediate Commander

HqBn, 2dMarDiv, Camp Lejeune, NC

Organization of Immediate Commander

First Lieutenant, U.S. Marine Corps

[REDACTED]
Grade

[REDACTED]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1600 hours, February 22, 2021 at HqBn, 2dMarDiv,
Camp Lejeune, NC
Designation of Command or

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE [REDACTED] Commanding Officer

[REDACTED]
Typed Name of Officer

First Lieutenant, U.S. Marine Corps

[REDACTED]
Grade

[REDACTED]
Signature

[REDACTED]
Legal Officer

Official Capacity of Officer Signing

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

2d Marine Division

b. PLACE

Camp Lejeune, North Carolina

c. DATE

APR 16 2021

Referred for trial to the General court-martial convened by courts-martial convening order # 1-21

dated 11 January, 21, subject to the following instructions:² To be tried in conjunction with the
Charge Sheet dated 18 March 2021.

By XXXXXXXXXXXXXXXXXX of [REDACTED]
Command or Order

F. L. DONOVAN

Typed Name of Officer

COMMANDING GENERAL

Official Capacity of Officer Signing

Major General, U.S. Marine Corps

[REDACTED]
Signature

15. On 23 April, 2021, I caused a copy hereof to be served on the above named accused.

J. A. REHAK

Typed Name of Trial Counsel

Captain, U.S. Marine Corps

Grade or Rank of Trial Counsel

FOOTNOTES

1 -- When an appropriate commander signs personally, inapplicable words are stricken.

2 -- See R.C.M. 601(e) concerning instructions. If none, so state.

3 -- See R.C.M. 601 (e) concerning instructions. If none, so state.

Charge III: Violation of the UCMJ, Article 109

Specification 1 (Damaging Nonmilitary Property): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, on or about 23 December 2020, willfully and wrongfully damage by slashing 4 Goodyear vehicle tires, the amount of said damage being in the sum of about \$685.00, the property of Corporal [REDACTED] U.S. Marine Corps.

Specification 2 (Damaging Nonmilitary Property): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, on or about 5 January 2021, willfully and wrongfully damage by slashing 4 Michelin vehicle tires, the amount of said damage being in the sum of about \$719.00, the property of Corporal [REDACTED] U.S. Marine Corps.

Charge IV: Violation of the UCMJ, Article 112a

Specification 1 (Wrongful Possession of a Controlled Substance): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, on or about 3 January 2021, wrongfully possess some amount of Marijuana.

Specification 2 (Wrongful Possession of a Controlled Substance): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, on or about 3 January 2021, wrongfully possess some amount of Oxycodone, a schedule II controlled substance.

Charge V: Violation of the UCMJ, Article 126.

Specification (Simple Arson): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, on or about 7 January 2021, willfully and maliciously set fire to an automobile, of a value of more than \$1,000, the property of Corporal [REDACTED], U.S. Marine Corps.

Charge VI: Violation of the UCMJ, Article 129

Specification (Unlawful Entry): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, on or about 3 January 2021, unlawfully enter the real property of Corporal [REDACTED] U.S. Marine Corps, to wit: barracks [REDACTED]

ORIGINAL

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, Middle Initial) BERTADILLO, Natalia J.			2. EDIPI [REDACTED]	3. GRADE OR RANK LCpl	4. PAY GRADE E-3
5. UNIT OR ORGANIZATION Headquarters Battalion, 2d Marine Division, Camp Lejeune, North Carolina			6. EAS 5 May 23	6b. CURRENT SERVICE	
				a. INITIAL DATE 6 May 19	b. TERM 4 Yrs
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED Pretrial Restriction Pretrial Confinement	9. DATE(S) IMPOSED 22 Jan 21 – 2 Feb 21 3 Feb 21 – Present	
a. BASIC \$2,103.90	b. SEA/FOREIGN DUTY \$0.00	c. TOTAL \$2,103.90			

II. CHARGES AND SPECIFICATIONS

10.

Additional Charge I: Violation of UCMJ, Article 80

Specification (Attempted Breach of Restriction): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, having been restricted to the limits of Marine Corps Base Camp Lejeune, North Carolina, by a person authorized to do so, did, on or about 23 January 2021, wrongfully attempt to break said restriction.

Additional Charge II: Violation of the UCMJ, Article 92

Specification (Failure to Obey a Lawful Order): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, having knowledge of a lawful order issued by Colonel [REDACTED] Commanding Officer, Headquarters Battalion, 2d Marine Division, not to contact Corporal [REDACTED] U.S. Marine Corps, an order which it was her duty to obey, did, at an unknown location, on divers occasions, between on or about 8 January 2021 and on or about 22 January 2021, fail to obey the same by wrongfully contacting the said Corporal [REDACTED]

Additional Charge III: Violation of the UCMJ, Article 112a

Specification (Wrongful Possession of a Controlled Substance): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, on board Marine Corps Base Camp Lejeune, North Carolina, on or about 3 January 2021, wrongfully possess some amount of tetrahydrocannabinol, a schedule 1 controlled substance.

(See Supplemental Page)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, Middle Initial) [REDACTED]	b. GRADE LCpl	c. ORGANIZATION OF ACCUSER HqSptBn, MCI-East, MCB, Camp Lejeune, NC
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE (YYYYMMDD) 20210318

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser this 18th day of March, 2021, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

J. A. REHAK
Typed Name of Officer

HqSptBn, MCI-East, MCB, Camp Lejeune, NC
Organization of Officer

Captain, U. S. Marine Corps
Grade

Judge Advocate

Official Capacity to Administer Oath
(See R.C.M. 307 (b) must be commissioned officer)

REHAK.JOSHUA.AARON
PETERSON. [REDACTED]
Digitally signed by REHAK.JOSHUA.AARONPETERSON
Date: 2021.03.18 13:04:09 -04'00'
Signature

12. On 24 March, 2021, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[REDACTED]
Typed Name of Immediate Commander

HqBn, 2dMarDiv, Camp Lejeune, NC

Organization of Immediate Commander

First Lieutenant, U.S. Marine Corps

Grade

[REDACTED]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1239 hours, 1 April, 2021 at HqBn, 2dMarDiv,
Camp Lejeune, NC
Designation of Command or

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE Commanding Officer

[REDACTED]
Typed Name of Officer

Legal Officer

Official Capacity of Officer Signing

First Lieutenant, U.S. Marine Corps

Grade

[REDACTED]
Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

2d Marine Division

Camp Lejeune, North Carolina

APR 16 2021

Referred for trial to the General court-martial convened by courts-martial convening order # 1-21

dated 11 January 21, subject to the following instructions:² To be tried in conjunction with the

Charge Sheet dated 11 February 2021.

By XXXXXXXXXXXXXXXXXX of
Command or Order

[REDACTED]
Typed Name of Officer

COMMANDING GENERAL

Official Capacity of Officer Signing

Major General, U.S. Marine Corps

Grade

15. On 23 April, 2020/2021^{PC}, I caused a copy hereof to be served on the above named accused.

J. A. REHAK

Typed Name of Trial Counsel

Captain, U.S. Marine Corps

Grade or Rank of Trial Counsel

FOOTNOTES

1 -- When an appropriate commander signs personally, inapplicable words are stricken.

2 -- See R.C.M. 601(e) concerning instructions. If none, so state.

2 - See R.C.M. 601 (e) concerning instructions. If none, so state.

Additional Charge IV:

Violation of the UCMJ, Article 121

Specification (Larceny): In that Lance Corporal Natalia J. BERTADILLO, U.S. Marine Corps, on active duty, did, at or near Marine Corps Base Camp Lejeune, North Carolina, between on or about 27 January 2020 and on or about 28 February 2021, on divers occasions, wrongfully steal funds, in the form of a Basic Allowance for Housing (BAH) ~~and Family Separation Allowance (FSA Type II)~~, military property, of a value of more than \$1,000, the property of the United States.

11 MAY 21

TC FOR CA

ORIGINAL

TRIAL COURT MOTIONS & RESPONSES

**THERE ARE NO TRIAL COURT MOTIONS
AND RESPONSES**

REQUESTS

THERE ARE NO REQUESTS

NOTICES

**NAVY-MARINE CORPS TRIAL JUDICIARY
EASTERN JUDICIAL CIRCUIT**

UNITED STATES

v.

Natalia Bertadillo
Lance Corporal
U.S. Marine Corps

GENERAL COURT-MARTIAL

CIVILIAN DEFENSE COUNSEL
NOTICE OF APPEARANCE

10 May 2021

1. Pursuant to Rule 5.1 of the Uniform Rules of Practice Before Navy-Marine Corps Courts-Martial (Uniform Rules) and Rule 5.1a of the Eastern Judicial Circuit Rules of Practice (Circuit Rules), I, Eric M. Kopka, hereby provide notice to the Circuit Military Judge of my appearance on behalf of Lance Corporal Natalia Bertadillo. My office address, phone numbers, and e-mail address are: [REDACTED]

[REDACTED] I am an active member in good standing licensed to practice in the following jurisdictions: Washington, D.C., and Rhode Island (Inactive).

2. I understand that practice in the Eastern Judicial Circuit requires me to be familiar with the Uniform and Circuit rules. Additionally, I am aware of the standards of professional conduct required of counsel practicing in Navy-Marine Corps courts-martial as contained in JAG Instruction 5803.1 series. I certify that I am not now, nor have I ever been, de-certified or suspended from practice in Navy-Marine Corps courts-martial by the Judge Advocate General of the Navy.

[REDACTED]
Eric M. Kopka
Attorney At Military Law

Certificate of Service

I hereby attest that a copy of the foregoing notice of appearance was served on the court and opposing counsel personally and/or electronically on 10 May 2021.



Eric M. Kopka

COURT RULINGS & ORDERS

**THERE ARE NO COURT RULINGS
AND ORDERS**

STATEMENT OF TRIAL RESULTS

STATEMENT OF TRIAL RESULTS

SECTION A - ADMINISTRATIVE

1. NAME OF ACCUSED (last, first, MI) Bertadillo, Natalia J.	2. BRANCH Marine Corps	3. PAYGRADE E-3	4. DoD ID NUMBER [REDACTED]
5. CONVENING COMMAND 2d Marine Division	6. TYPE OF COURT-MARTIAL General	7. COMPOSITION Judge Alone - MJA16	8. DATE SENTENCE ADJUDGED Aug 16, 2021

SECTION B - FINDINGS

SEE FINDINGS PAGE

SECTION C - TOTAL ADJUDGED SENTENCE

9. DISCHARGE OR DISMISSAL Bad conduct discharge	10. CONFINEMENT 32 Months	11. FORFEITURES N/A	12. FINES N/A	13. FINE PENALTY N/A
14. REDUCTION E-1	15. DEATH Yes <input type="radio"/> No <input checked="" type="radio"/>	16. REPRIMAND Yes <input type="radio"/> No <input checked="" type="radio"/>	17. HARD LABOR Yes <input type="radio"/> No <input checked="" type="radio"/>	18. RESTRICTION Yes <input type="radio"/> No <input checked="" type="radio"/>
19. HARD LABOR PERIOD N/A				
20. PERIOD AND LIMITS OF RESTRICTION N/A				

SECTION D - CONFINEMENT CREDIT

21. DAYS OF PRETRIAL CONFINEMENT CREDIT 194	22. DAYS OF JUDICIALLY ORDERED CREDIT 0	23. TOTAL DAYS OF CREDIT 194 days
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SECTION E - PLEA AGREEMENT OR PRE-TRIAL AGREEMENT

24. LIMITATIONS ON PUNISHMENT CONTAINED IN THE PLEA AGREEMENT OR PRE-TRIAL AGREEMENT

The minimum discharge to be adjudged for all offenses is a bad-conduct discharge. A minimum of 32 months and a maximum of 34 months of confinement shall be adjudged as set forth in Table A of the plea agreement. No fine will be adjudged; Reduction to E-1 will be adjudged; No other lawful punishments will be adjudged.

SECTION F - SUSPENSION OR CLEMENCY RECOMMENDATION

25. DID THE MILITARY JUDGE RECOMMEND SUSPENSION OF THE SENTENCE OR CLEMENCY? Yes <input type="radio"/> No <input checked="" type="radio"/>	26. PORTION TO WHICH IT APPLIES [REDACTED]	27. RECOMMENDED DURATION [REDACTED]
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28. FACTS SUPPORTING THE SUSPENSION OR CLEMENCY RECOMMENDATION

[REDACTED]

SECTION G - NOTIFICATIONS

29. Is sex offender registration required in accordance with appendix 4 to enclosure 2 of DoDI 1325.07?	Yes <input type="radio"/> No <input checked="" type="radio"/>
30. Is DNA collection and submission required in accordance with 10 U.S.C. § 1565 and DoDI 5505.14?	Yes <input checked="" type="radio"/> No <input type="radio"/>
31. Did this case involve a crime of domestic violence as defined in enclosure 2 of DoDI 6400.06?	Yes <input type="radio"/> No <input checked="" type="radio"/>
32. Does this case trigger a firearm possession prohibition in accordance with 18 U.S.C. § 922?	Yes <input checked="" type="radio"/> No <input type="radio"/>

SECTION H - NOTES AND SIGNATURE

33. NAME OF JUDGE (last, first, MI) Henry, Nicholas S.	34. BRANCH Marine Corps	35. PAYGRADE O-4	36. DATE SIGNED Aug 16, 2021	38. JUDGE'S SIGNATURE HENRY.NIC HOLAS.SEA N. [REDACTED] Digitally signed by HENRY NICHOLAS SEAN [REDACTED] Date: 2021.08.16 14:40:06 -04'00'
37. NOTES [REDACTED]				

STATEMENT OF TRIAL RESULTS - FINDINGS

SECTION I - LIST OF FINDINGS

CHARGE	ARTICLE	SPECIFICATION	PLEA	FINDING	ORDER OR REGULATION VIOLATED	LIO OR INCHOATE OFFENSE ARTICLE	DIBRS
Charge I: Plea: Guilty Finding: Guilty	86	Specification: Offense description	Guilty	Guilty			086-A2
				Failing to go to place of duty			
Charge II: Plea: Guilty Finding: Guilty	107	Specification: Offense description	Guilty	Guilty			107-B-
				False official statement			
Charge III: Plea: Guilty Finding: Guilty	109	Specification 1: Offense description	Guilty	Guilty			109-B1
				Damaging non-military property in the amount of \$1000 or less			
		Specification 2: Offense description	Guilty	Guilty			109-B1
				Damaging non-military property in the amount of \$1000 or less			
Charge IV: Plea: Guilty Finding: Guilty	112a	Specification 1: Offense description	Guilty	Guilty			112AA1
				Possession of Schedule I / II / III controlled drugs			
		Specification 2: Offense description	Guilty	Guilty			112AA1
				Possession of Schedule I / II / III controlled drugs			
Charge V: Plea: Guilty Finding: Guilty	126	Specification: Offense description	Guilty	Guilty			126-B2
				Simple arson of property of a value of more than \$1000			
Charge VI: Plea: Guilty Finding: Guilty	129	Specification: Offense description	Guilty	Guilty			134-C8
				Unlawful entry			
Additional Charge I: Plea: Guilty Finding: Guilty	80	Specification: Offense description	Guilty	Guilty			90Z
				Attempts - other than murder and voluntary manslaughter			
Additional Charge II: Plea: Guilty Finding: Guilty	92	Specification: Offense description	Guilty	Guilty			092-B-
				Failure to obey other lawful order			
Additional Charge III: Plea: Guilty Finding: Guilty	112a	Specification: Offense description	Guilty	Guilty			112AA1
				Possession of Schedule I / II / III controlled drugs			
Additional Charge IV: Plea: Not Guilty Finding: W/D	121	Specification: Offense description Withdrawn and Dismissed	Not Guilty	W/D			121-A2
				Larceny of military property of a value of more than \$1000 or military firearm or explosive or vehicle			
				pursuant to the plea agreement			

MILITARY JUDGE ALONE SEGMENTED SENTENCE					
SECTION J - SENTENCING					
CHARGE	SPECIFICATION	CONFINEMENT	CONCURRENT WITH	CONSECUTIVE WITH	FINE
Charge I: Plea: Guilty Finding: Guilty	Specification:	0 months	N/A	N/A	N/A
Charge II: Plea: Guilty Finding: Guilty	Specification:	12 months	IV.1, IV.2, VI, Add III	I, III.1, III.2, V, Add I, Add II	N/A
Charge III: Plea: Guilty Finding: Guilty	Specification 1:	6 months	III.2, V	II, IV.1, IV.2, VI, Add I, Add II, Add III	N/A
	Specification 2:	6 months	III.1, V	II, IV.1, IV.2, VI, Add I, Add II, Add III	N/A
Charge IV: Plea: Guilty Finding: Guilty	Specification 1:	3 months	II, IV.2, VI, Add III	I, III.1, III.2, V, Add I, Add II	N/A
	Specification 2:	3 months	II, IV.1, VI, Add III	I, III.1, III.2, V, Add I, Add II	N/A
Charge V: Plea: Guilty Finding: Guilty	Specification:	20 months	III.1, III.2	I, II, IV.1, IV.2, VI, Add I, Add II, Add III	N/A
Charge VI: Plea: Guilty Finding: Guilty	Specification:	3 months	II, IV.1, IV.2, Add III	I, III.1, III.2, V, Add I, Add II	N/A
Additional Charge I: Plea: Guilty Finding: Guilty	Specification:	0 months	I, Add II	II, III.1, III.2, IV.1, IV.2, V, VI, Add III	N/A
Additional Charge II: Plea: Guilty Finding: Guilty	Specification:	0 months	I, III.1, III.2, V, Add I	II, IV.1, IV.2, VI, Add III	N/A
Additional Charge III: Plea: Guilty Finding: Guilty	Specification:	1 month	II, IV.1, IV.2, VI	I, III.1, III.2, V, Add I, Add II	N/A
Additional Charge IV: Plea: Not Guilty Finding: W/D	Specification:	N/A	N/A	N/A	N/A

CONVENING AUTHORITY'S ACTIONS

POST-TRIAL ACTION**SECTION A - STAFF JUDGE ADVOCATE REVIEW**

1. NAME OF ACCUSED (LAST, FIRST, MI) Bertadillo, Natalia J.		2. PAYGRADE/RANK E3	3. DoD ID NUMBER [REDACTED]
4. UNIT OR ORGANIZATION HQBn, 2dMarDiv		5. CURRENT ENLISTMENT 6 May 2019	6. TERM 4 yrs
7. CONVENING AUTHORITY (UNIT/ORGANIZATION) 2dMarDiv	8. COURT-MARTIAL TYPE General	9. COMPOSITION Judge Alone - MJA16	10. DATE SENTENCE ADJUDGED 16 August 2021

Post-Trial Matters to Consider

11. Has the accused made a request for deferment of reduction in grade?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
12. Has the accused made a request for deferment of confinement?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
13. Has the accused made a request for deferment of adjudged forfeitures?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
14. Has the accused made a request for deferment of automatic forfeitures?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
15. Has the accused made a request for waiver of automatic forfeitures?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
16. Has the accused submitted necessary information for transferring forfeitures for benefit of dependents?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
17. Has the accused submitted matters for convening authority's review?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
18. Has the victim(s) submitted matters for convening authority's review?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
19. Has the accused submitted any rebuttal matters?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
20. Has the military judge made a suspension or clemency recommendation?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
21. Has the trial counsel made a recommendation to suspend any part of the sentence?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
22. Did the court-martial sentence the accused to a reprimand issued by the convening authority?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

23. Summary of Clemency/Deferment Requested by Accused and/or Crime Victim, if applicable.

I have advised the Convening Authority of clemency authority based on the earliest findings of guilty for an offense committed on or after 1 January 2019 pursuant to R.C.M. 1109 MCM (2019 Ed.)

24. Convening Authority Name/Title F.L. DONOVAN/Commanding General	25. SJA Name [REDACTED]
26. SJA signature [REDACTED]	27. Date 2021.09.30

SECTION B - CONVENING AUTHORITY ACTION

28. Having reviewed all matters submitted by the accused and the victim(s) pursuant to R.C.M. 1106/1106A, and after being advised by the staff judge advocate or legal officer, I take the following action in this case: [If deferring or waiving any punishment, indicate the date the deferment/waiver will end. Attach signed reprimand if applicable. Indicate what action, if any, taken on suspension recommendation(s) or clemency recommendations from the judge.]

General Court-Martial Order No. D21-39

Action.

In the General Court-Martial case of United States v. Lance Corporal Natalia J. Bertadillo, U.S. Marine Corps, the sentence is approved and, except for the part of the sentence extending to a Bad-Conduct Discharge, will be executed. The Marine Corps Installations East Regional Brig, Camp Lejeune, North Carolina, is designated as the initial place of confinement.

Confinement Credit.

The accused will be credited with having served 194 days of confinement.

Disposition.

Pursuant to Article 66, Uniform Code of Military Justice, the record of trial will be forwarded to the Navy-Marine Corps Appellate Review Activity (Code 40), Office of the Judge Advocate General, Washington Navy Yard, Washington, D.C. 20374 for appellate review.

29. Convening authority's written explanation of the reasons for taking action on offenses with mandatory minimum punishments or offenses for which the maximum sentence to confinement that may be adjudged exceeds two years, or offenses where the adjudged sentence includes a punitive discharge (Dismissal, DD, BCD) or confinement for more than six months, or a violation of Art. 120(a) or 120(b) or 120b:

N/A.

30. Convening Authority's signature

31. Date

OCT 06 2021

32. Date convening authority action was forwarded to PTLD or Review Shop.

04 NOV 2021

ENTRY OF JUDGMENT

ENTRY OF JUDGMENT

SECTION A - ADMINISTRATIVE

1. NAME OF ACCUSED (LAST, FIRST, MI) Bertadillo, Natalia J.		2. PAYGRADE/RANK E3	3. DoD ID NUMBER [REDACTED]
4. UNIT OR ORGANIZATION HQBn, 2dMarDiv		5. CURRENT ENLISTMENT 6 May 2019	6. TERM 4 yrs
7. CONVENING AUTHORITY (UNIT/ORGANIZATION) 2dMarDiv	8. COURT-MARTIAL TYPE General	9. COMPOSITION Judge Alone - MJA16	10. DATE COURT-MARTIAL ADJOURNED 16 August 2021

SECTION B - ENTRY OF JUDGMENT

****MUST be signed by the Military Judge (or Circuit Military Judge) within 20 days of receipt****

11. Findings of each charge and specification referred to trial. [Summary of each charge and specification (include at a minimum the gravamen of the offense), the plea of the accused, the findings or other disposition accounting for any exceptions and substitutions, any modifications made by the convening authority or any post-trial ruling, order, or other determination by the military judge. R.C.M. 1111(b)(1)]

Charge I: Violation of Article 86, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification: Did, on or about 23 January 2021, without authority, fail to go at the time prescribed to her appointed place of duty, to wit: restriction muster. Plea: Guilty. Finding: Guilty.

Charge II: Violation of Article 107, UCMJ.

Plea: Guilty. Finding: Guilty

Specification: Did, on or about 3 January 2021, with intent to deceive, make to the NCIS, an official statement, to wit: a tip line report that Cpl [REDACTED], USMC, "uses and sells [OxyContin and Weed]", or words to that effect, which statement was totally false, and was then known by the said LCpl Bertadillo to be so false. Plea: Guilty. Finding: Guilty.

Charge III: Violation of Article 109, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification 1: Did, on or about 23 December 2020, willfully and wrongfully damage by slashing 4 Goodyear vehicle tires, the amount of said damage being in the sum of about \$685.00, the property of Corporal [REDACTED], USMC. Plea: Guilty. Finding: Guilty.

Specification 2: Did, on or about 5 January 2021, willfully and wrongfully damage by slashing 4 Michelin vehicle tires, the amount of said damage being in the sum of about \$719.00, the property of Cpl [REDACTED] USMC. Plea: Guilty. Finding: Guilty.

Charge IV: Violation of Article 112a, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification 1: Did, on or about 3 January 2021, wrongfully possess some amount of marijuana. Plea: Guilty. Finding: Guilty.

Specification 2: Did, on or about 3 January 2021, wrongfully possess some amount of Oxycodone, a Schedule II controlled substance. Plea: Guilty. Finding: Guilty.

(See addendum page)

12. Sentence to be Entered. Account for any modifications made by reason of any post-trial action by the convening authority (including any action taken based on a suspension recommendation), confinement credit, or any post-trial rule, order, or other determination by the military judge. R.C.M. 1111(b)(2). If the sentence was determined by a military judge, ensure confinement and fines are segmented as well as if a sentence shall run concurrently or consecutively.

Military Judge: Bad-Conduct Discharge, reduction to pay grade E-1 and;

Charge I: Violation of Article 86, UCMJ.

Specification: 0 months confinement.

Charge II: Violation of Article 107, UCMJ.

Specification: 12 months confinement.

Charge III: Violation of Article 109, UCMJ.

Specification 1: 6 months confinement.

Specification 2: 6 months confinement.

Charge IV: Violation of Article 112a, UCMJ.

Specification 1: 3 months confinement.

Specification 2: 3 months confinement.

Charge V: Violation of Article 126, UCMJ.

Specification: 20 months confinement.

Charge VI: Violation of Article 129, UCMJ.

Specification: 3 months confinement.

(See addendum page)

13. Deferment and Waiver. Include the nature of the request, the CA's Action, the effective date of the deferment, and date the deferment ended. For waivers, include the effective date and the length of the waiver. RCM 1111(b)(3)

N/A.

14. Action convening authority took on any suspension recommendation from the military judge:

N/A.

15. Judge's signature:		16. Date judgment entered:	
HENRY.NICHOLAS. SEAN.		Nov 18, 2021	
Digitally signed by HENRY.NICHOLAS.SEAN Date: 2021.11.19 13:06:45 -05'00'			
17. In accordance with RCM 1111(c)(1), the military judge who entered a judgment may modify the judgment to correct computational or clerical errors within 14 days after the judgment was initially entered. Include any modifications here and resign the Entry of Judgment.			
18. Judge's signature:		19. Date judgment entered:	

CONTINUATION SHEET - ENTRY OF JUDGMENT

11. Findings (Continued)

Charge V: Violation of Article 126, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification: Did, on or about 7 January 2021, willfully and maliciously set fire to an automobile, of a value of more than \$1,000, the property of Cpl [REDACTED] USMC. Plea: Guilty. Finding: Guilty.

Charge VI: Violation of Article 129, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification: Did, on or about 3 January 2021, unlawfully enter the real property of Cpl [REDACTED] USMC, to wit: Barracks HP 118, room 521. Plea: Guilty. Finding: Guilty.

Additional Charge I: Violation of Article 80, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification: Having been restricted to the limits of MCB Camp Lejeune, North Carolina, by a person authorized to do so, did, on or about 23 January 2021, wrongfully attempt to break said restriction. Plea: Guilty. Finding: Guilty.

Additional Charge II: Violation of Article 92, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification: Having knowledge of a lawful order issued by Col [REDACTED] Commanding Officer, HqBn, 2d MarDiv, not to contact Cpl [REDACTED] USMC, an order which it was her duty to obey, did, on divers occasions, between on or about 8 January 2021 and on or about 22 January 2021, fail to obey the same by contacting the said Cpl [REDACTED]. Plea: Guilty. Finding: Guilty.

Additional Charge III: Violation of Article 112a, UCMJ.

Plea: Guilty. Finding: Guilty.

Specification: Did, on or about 3 January 2021, wrongfully possess some amount of tetrahydrocannabinol, a Schedule I controlled substance. Plea: Guilty. Finding: Guilty.

Additional Charge IV: Violation of Article 121, UCMJ.

Plea: Not Guilty. Finding: Dismissed without prejudice, to ripen into prejudice upon completion of appellate review in which the findings and sentence are affirmed.

Specification: Did, between on or about 27 January 2020 and on or about 28 February 2021, on divers occasions, wrongfully steal funds, in the form of BAH, military property, of a value of more than \$1,000, the property of the United States. Plea: Not Guilty.

Finding: Dismissed without prejudice, to ripen into prejudice upon completion of appellate review in which the findings and sentence are affirmed.

12. Sentence (Continued)

Additional Charge I: Violation of Article 80, UCMJ.

Specification: 0 months confinement.

Additional Charge II: Violation of Article 92, UCMJ.

Specification: 0 months confinement.

Additional Charge III: Violation of Article 112a, UCMJ.

Specification: 1 month confinement.

-The sole specification of Charge II will be served concurrently with Specifications 1 and 2 of Charge IV, the sole specification of Charge VI and the sole specification of Additional Charge III. It will be served consecutively with all other charges and specifications.

-Specifications 1 and 2 of Charge III will be served concurrently with each other and the sole specification of Charge V. They will be served consecutively with all other charges and specifications.

-Specifications 1 and 2 of Charge IV will be served concurrently with each other, the sole specification of Charge II, the sole specification of Charge VI and the sole specification of Additional Charge III. They will be served consecutively with all other charges and specifications.

-The sole specification of Charge V will be served concurrently with Specifications 1 and 2 of Charge III and will be served consecutively with all other charges and specifications.

-The sole specification of Charge VI will be served concurrently with the sole specification of Charge II, Specifications 1 and 2 of Charge IV and the sole specification of Additional Charge III. It will be served concurrently with all other charges and specifications.

-The sole specification of Additional Charge III will be served concurrently with the sole specification of Charge II, Specifications 1 and 2 of Charge IV and the sole specification of Charge VI. It will be served consecutively with all other charges and specifications.

All periods of confinement together both concurrent and consecutive amount to a total period of confinement of 32 months.

The accused is credited with having served 194 days of confinement.

On 6 October 2021, the Convening Authority approved, and except for the part of the sentence extending to the Bad-Conduct Discharge, ordered it executed.

APPELLATE INFORMATION

**IN THE UNITED STATES NAVY-MARINE CORPS
COURT OF CRIMINAL APPEALS**

Before Panel No. 1

UNITED STATES

Appellee

v.

Natalia J. BERTADILLO

Lance Corporal (E-3)

United States Marine Corps

Appellant

NMCCA No. 202100346

**APPELLANT’S MOTION FOR
LEAVE TO FILE OUT OF TIME
AND FIRST MOTION FOR
ENLARGEMENT**

Tried at Camp Lejeune, on 5 May
2021 and 16 August 2021 by a general
court-martial convened by
Commanding General, 2d Marine
Division, Major Nicholas Henry,
USMC, Military Judge, presiding

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES NAVY-
MARINE CORPS COURT OF CRIMINAL APPEALS**

COMES NOW the undersigned and respectfully moves for leave to file out of time and to file a first enlargement of time to file a brief and assignments of error. The current due date is 14 February 2022. The number of days requested is thirty (30). The requested due date is 16 March 2022.

The current status of the case:


1. The Record was docketed on December 16, 2021.
2. The Moreno III date is June 15, 2023.
3. The Appellant is confined.
4. The Record consists of 136 transcribed pages and 371 total pages.
5. Counsel has not completed initial review of the record of trial.

Good cause exists for granting the motion for leave to file out of time. Due to an issue when this case was placed into the court's case management system, the need to detail counsel was not apparent until after the 14 February filing deadline. Undersigned counsel was detailed on 28 February 2002.


Good cause exists for granting this motion. Because of delayed detailing, counsel requires additional time to review the record and consult with Appellant.

WHEREAS Counsel respectfully requests that the Court grant the 30-day enlargement of time.

Respectfully submitted.



Kimberly D. Hinson
CAPT, JAGC, USN
Appellate Defense Counsel
Navy-Marine Corps Appellate Review Activity
1254 Charles Morris Street, SE
Building 58, Suite 100
Washington, DC 20374



CERTIFICATE OF FILING AND SERVICE

I certify that this document was emailed to the Court's filing address on March 3, 2022, that a copy was uploaded into the Court's case management system on March 3, 2022, *and* that a copy of the foregoing was emailed to Director and Deputy Director, Appellate Government Division, on March 3, 2022.



Kimberly D. Hinson
CAPT, JAGC, USN
Appellate Defense Counsel

Subject: RECEIPT - FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100346 - D 1EOT(OOT) (Hinson)
Date: Wednesday, March 2, 2022 3:32:59 PM

RECEIVED
Mar 2 2022
United States Navy-Marine Corps
Court of Criminal Appeals

Panel Paralegal
Navy-Marine Corps Court of Criminal Appeals
1254 Charles Morris St SE, Ste 320
Washington Navy Yard, DC 20374

Subject: FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100346 - D 1EOT(OOT) (Hinson)

Good Afternoon,

Please see attached filing.

Very respectfully,

Cpl [REDACTED]

U.S. Marine Corps

Administrative Support

Navy-Marine Corps Appellate Review Activity

Appellate Defense Division (Code 45)

1254 Charles Morris Street SE

Washington Navy Yard, DC 20374



Subject: RULING - RECEIPT - FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100333 - D 1EOT(OOT) (Hinson)
Date: Wednesday, March 2, 2022 3:39:53 PM

MOTION GRANTED
2 MAR 2022
United States Navy-Marine Corps
Court of Criminal Appeals
(PLEASE NOTE THE NMCCA # IS 202100333 and not 202100346).

Panel Paralegal
Navy-Marine Corps Court of Criminal Appeals
1254 Charles Morris St SE, Ste 320
Washington Navy Yard, DC 20374

Subject: RECEIPT - FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100346 - D 1EOT(OOT) (Hinson)

RECEIVED
Mar 2 2022
United States Navy-Marine Corps
Court of Criminal Appeals

[REDACTED]
Panel Paralegal

Navy-Marine Corps Court of Criminal Appeals

1254 Charles Morris St SE, Ste 320

Washington Navy Yard, DC 20374

[REDACTED]

Subject: FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100346 - D 1EOT(OOT) (Hinson)

Good Afternoon,

Please see attached filing.

Very respectfully,

Cpl [REDACTED]

U.S. Marine Corps

Administrative Support

Navy-Marine Corps Appellate Review Activity

Appellate Defense Division (Code 45)

1254 Charles Morris Street SE

Washington Navy Yard, DC 20374

[REDACTED]

**IN THE UNITED STATES NAVY-MARINE CORPS
COURT OF CRIMINAL APPEALS**

Before Panel No. 1

UNITED STATES

Appellee

v.

Natalia J. BERTADILLO,
Lance Corporal (E-3)
United States Marine Corps

Appellant

NMCCA No. 202100333

**APPELLANT'S SECOND
MOTION FOR ENLARGEMENT**

Tried at Camp Lejeune, on 5 May
2021 and 16 August 2021 by a general
court-martial convened by
Commanding General, 2d Marine
Division, Major Nicholas Henry,
USMC, Military Judge, presiding

**TO THE HONORABLE, THE JUDGES OF THE UNITED STATES NAVY-
MARINE CORPS COURT OF CRIMINAL APPEALS**

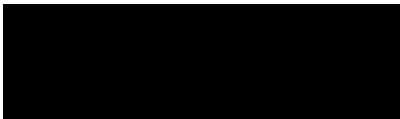
COMES NOW the undersigned and respectfully moves for leave to file out of time and to file a first enlargement of time to file a brief and assignments of error. The current due date is 16 March 2022. The number of days requested is thirty (30). The requested due date is 15 April 2022.

The current status of the case:


1. The Record was docketed on December 16, 2021.
2. The Moreno III date is June 15, 2023.
3. The Appellant is confined.
4. The Record consists of 136 transcribed pages and 371 total pages.
5. Counsel has completed initial review of the record of trial.

Good cause exists for granting this motion. Counsel received this case more than 60 days after initially docketed. Although counsel has completed initial review of the record, further review and consultation with Appellant is needed prior to filing. Appellant has been consulted and concurs with this request.

Respectfully submitted.



Kimberly D. Hinson
CAPT, JAGC, USN
Appellate Defense Counsel
Navy-Marine Corps Appellate Review Activity
1254 Charles Morris Street, SE
Building 58, Suite 100
Washington, DC 20374

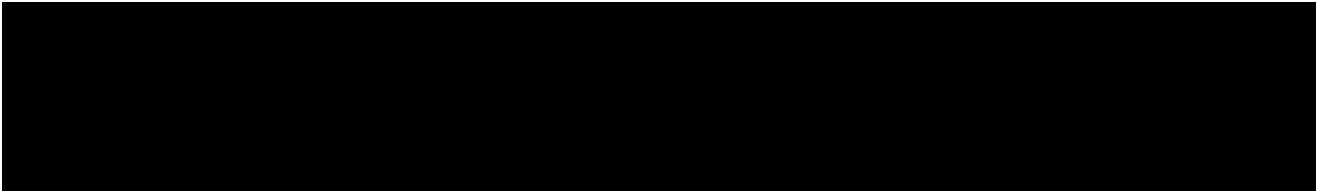


CERTIFICATE OF FILING AND SERVICE

I certify that this document was emailed to the Court's filing address on March 11, 2022, that a copy was uploaded into the Court's case management system on March 11, 2022, *and* that a copy of the foregoing was emailed to Director and Deputy Director, Appellate Government Division, on March 11, 2022.



Kimberly D. Hinson
CAPT, JAGC, USN
Appellate Defense Counsel



Subject: RECEIPT - FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100333 - D 2EOT (Hinson)
Date: Friday, March 11, 2022 9:00:15 AM

RECEIVED
Mar 11 2022
United States Navy-Marine Corps
Court of Criminal Appeals



Subject: FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100333 - D 2EOT (Hinson)

Good Morning,

Please see attached filing.

Very respectfully,

Cpl 

U.S. Marine Corps

Administrative Support

Navy-Marine Corps Appellate Review Activity

Appellate Defense Division (Code 45)

1254 Charles Morris Street SE

Washington Navy Yard, DC 20374



Subject: RULING - FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100333 - D 2EOT (Hinson)
Date: Friday, March 11, 2022 9:00:56 AM

MOTION GRANTED
11 MAR 2022
United States Navy-Marine Corps
Court of Criminal Appeals

Subject: FILING - Panel 1 - U.S. v. Bertadillo - NMCCA 202100333 - D 2EOT (Hinson)

Good Morning,

Please see attached filing.

Very respectfully,

Cpl [REDACTED]

U.S. Marine Corps

Administrative Support

Navy-Marine Corps Appellate Review Activity

Appellate Defense Division (Code 45)

1254 Charles Morris Street SE

Washington Navy Yard, DC 20374

United States Navy-Marine Corps Court of Criminal Appeals

UNITED STATES

Appellee

v.

Natalia J. BERTADILLO

Lance Corporal (E-3)

U.S. Marine Corps

Appellant

NMCCA NO. 202100333

Panel 1

ORDER

*Granting Appellant's Motion
to Withdraw Case from
Appellate Review*

Upon consideration of Appellant's Motion to Withdraw Case from Appellate Review, filed on 12 April 2022, we have determined that Appellant's request was properly executed and submitted, and is in substantial compliance with Article 61, Uniform Code of Military Justice, 10 U.S.C. § 861, and Rule for Courts-Martial 1115.

Accordingly, it is, by the Court, this 19th day of April 2022,

ORDERED:

- (1) That Appellant's Motion to Withdraw Appellate Review is **GRANTED**.
- (2) That the record of trial is returned to the Judge Advocate General for appropriate disposition.



FOR THE COURT:

Clerk of Court

Copy to:

45 (CAPT Hinson)

46

02

REMAND

THERE WERE NO REMANDS

NOTICE OF COMPLETION OF APPELLATE REVIEW (NOCAR)