

**UNITED STATES NAVY-MARINE CORPS  
COURT OF CRIMINAL APPEALS  
WASHINGTON, D.C.**

**Before  
J.A. MAKSYM, E.E. GEISER, J.R. PERLAK  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**ANTHONY R. GETCHEY II  
INFORMATION SYSTEMS TECHNICIAN THIRD CLASS (E-4), U.S. NAVY**

**NMCCA 201000022  
GENERAL COURT-MARTIAL**

**Sentence Adjudged:** 24 September 2009.

**Military Judge:** CAPT Dennis G. Bengtson, JAGC, USN.

**Convening Authority:** Commander, Navy Region Hawaii, Pearl Harbor, HI.

**Staff Judge Advocate's Recommendation:** LCDR J.D. Pilling, JAGC, USN.

**For Appellant:** LCDR Edward T. George, JAGC, USN.

**For Appellee:** Mr. Brian K. Keller, Esq.

**30 March 2010**

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**OPINION OF THE COURT**  
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**IN ACCORDANCE WITH RULE 18.2, NMCCA RULES OF PRACTICES AND PROCEDURE, THIS  
OPINION DOES NOT SERVE AS PRECEDENT.**

PER CURIAM:

This case is before us without assignment of error. We note that the combined court-martial order and convening authority's action, otherwise correct in all particulars, is undated. On the extant documents and dates referred to in the court-martial order and action itself, it is clear that the convening authority had all required documents and advice before him prior to taking his action. We conclude that the action was taken in the window during the period commencing 8 December 2009, the date of the supplemental staff judge advocate's recommendation, and ending on 8 January 2010, the date the record of trial was received by the Navy-Marine Corps Appellate Review Activity. We have assessed

this oversight and determined that the appellant has not been prejudiced thereby. After careful consideration of the record, we affirm the findings and sentence as approved by the convening authority. Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c).

For the Court

R.H. TROIDL  
Clerk of Court