

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

**Before
F.D. MITCHELL, R.E. BEAL, D.O. HARRIS
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**JASON T. SHIRA
STAFF SERGEANT (E-6), U.S. MARINE CORPS**

**NMCCA 201000359
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 1 March 2010.

Military Judge: CDR David Berger, JAGC, USN.

Convening Authority: Commanding Officer, Headquarters and Service Battalion, Marine Corps Base, Quantico, VA.

Staff Judge Advocate's Recommendation: Col S.C. Newman, USMC.

For Appellant: Maj Kirk Sripinyo, USMC.

For Appellee: Mr. Brian Keller, Esq.

14 December 2010

OPINION OF THE COURT

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

PER CURIAM:

After careful consideration of the record, submitted without assignment of error, 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). We direct that the supplemental court-martial order correctly reflect 30 days of judicially ordered confinement credit to be applied toward the sentence, as a remedy for unlawful pretrial punishment. Record at 95. See Art. 13, UCMJ; RULE FOR COURTS-MARTIAL 1107(f)(4)(F), MANUAL FOR COURTS-MARTIAL, UNITED STATES (2008 ed.).

For the Court

R.H. TROIDL
Clerk of Court