

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

**Before
J.K. CARBERRY, B.L. PAYTON-O'BRIEN, M.D. MODZELEWSKI
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**WILLIE L. DIXON IV
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201100318
GENERAL COURT-MARTIAL**

Sentence Adjudged: 8 March 2011.

Military Judge: LtCol G.W. Riggs, USMC.

Convening Authority: Commanding Officer, Marine Corps Base,
Camp Lejeune, NC.

Staff Judge Advocate's Recommendation: Maj C.M. Amdahl,
USMC.

For Appellant: LCDR Ronald Hocevar, JAGC, USN.

For Appellee: CAPT Martin A. Grover, JAGC, USN; Maj William
C. Kirby, USMC.

27 October 2011

OPINION OF THE COURT

After careful consideration of the record, and the pleadings of the parties, 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). To the extent that the convening authority's action purports to order the punitive discharge executed upon completion of appellate review, as asserted by the appellant in his sole assignment of error, it is a nullity and does not require corrective action. See *United States v. Tarniewicz*, __ M.J. __, 2011 CCA LEXIS 150 (N.M.Ct.Crim.App. 30 Aug 2011).

The court-martial order incorrectly reflects the suspension period for the appellant's confinement. In accordance with the pretrial agreement, the supplemental court-martial order will reflect that the suspension period began on the date of the convening authority's action and continues for six months thereafter.

For the Court

R.H. TROIDL
Clerk of Court