

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

**Before
J.A. MAKSYM, R.Q. WARD, D.R. LUTZ
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**JAVIER J. REYES LOPEZ
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201100363
GENERAL COURT-MARTIAL**

Sentence Adjudged: 6 April 2011.
Military Judge: LtCol Stephen Keane, USMC.
Convening Authority: Commanding General, 4th Marine
Logistics Group, Marine Forces Reserve, New Orleans, LA.
Staff Judge Advocate's Recommendation: Col R.G. Kelly,
USMC.
For Appellant: Maj Rolando Sanchez, USMCR.
For Appellee: Mr. Brian Keller, Esq.

10 November 2011

OPINION OF THE COURT

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).¹

For the Court

R.H. TROIDL
Clerk of Court

¹ To the extent that the convening authority's action purports to Direct that the punitive discharge will be executed after final judgment it is a legal nullity. See *United States v. Tarniewicz*, __ M.J. __, No. 201100158, 2011 CCA LEXIS 150 (N.M.Ct.Crim.App. 30 Aug 2011).