

**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.

**JARRETT J. GREER
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 201100389
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 27 April 2011.

Military Judge: LtCol Stephen F. Keane, USMC.

Convening Authority: Commanding Officer, Headquarters and
Support Battalion, Marine Corps Base, Camp Pendleton, CA.

Staff Judge Advocate's Recommendation: LtCol A.M. Ray, USMC;

Addendum: Capt A.M. Wallace, USMC.

For Appellant: CAPT Diane L. Karr, JAGC, USN.

For Appellee: CDR Brendan C. Curran, JAGC, USN; LT Benjamin J.
Voce-Gardner.

8 November 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).

For the Court



R.H. TROIDL
Clerk of Court

