

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

**Before
F.D. MITCHELL, J.A. MAKSYM, J.E. STOLASZ
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**DAVID R. BISHOP
SEAMAN APPRENTICE (E-2), U.S. NAVY**

**NMCCA 201000541
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 8 June 2010.

Military Judge: CAPT Carole Gaasch, JAGC, USN.

Convening Authority: Commanding Officer, Center for
Information Dominance, Corry Station, Pensacola, FL.

For Appellant: LCDR Brian Mizer, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

17 February 2011

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:

A judge, sitting as a special court-martial, convicted the appellant, pursuant to his pleas, of failure to go to his appointed place of duty, violating a lawful general regulation, wrongful use of cocaine, wrongful use of marijuana, and wrongful possession of marijuana, in violation of Articles 86, 92, and 112a, Uniform Code of Military Justice, 10 U.S.C. §§ 886, 892, and 912a. The trial judge sentenced the appellant to confinement for 74 days, reduction to pay grade E-1, and a bad-conduct discharge. The convening authority approved the sentence as adjudged.

The appellant's case was submitted to this court without assignment of error. Upon review, we note that the court-martial order does not adequately summarize the charges and specifications. RULE FOR COURTS-MARTIAL 1114(c)(1), MANUAL FOR COURTS-MARTIAL, UNITED STATES (2008 ed.). We will order corrective action in our decretal paragraph. We conclude that the findings and sentence are correct in law and fact and that no error materially prejudicial to the substantial rights of the appellant was committed. Arts. 59(a) and 66(c), UCMJ.

The supplemental court-martial order will adequately summarize the charges and specifications on which the appellant was arraigned, and reflect his pleas and the findings.

For the Court

R.H. TROIDL
Clerk of Court