

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

**Before
L.T. BOOKER, J.K. CARBERRY, G.G. GERDING
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**NATHAN C. HALL
BOATSWAIN'S MATE SEAMAN (E-3), U.S. NAVY**

**NMCCA 201100014
GENERAL COURT-MARTIAL**

Sentence Adjudged: 15 October 2010.

Military Judge: LtCol Michael Mori, USMC.

Convening Authority: Commander, Navy Region Hawaii, Pearl Harbor, HI.

Staff Judge Advocate's Recommendation: LCDR K.A. Elkins, JAGC, USN.

For Appellant: LCDR Edward Hartman, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

10 May 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 military judge sitting as a general court-martial convicted the appellant, pursuant to his pleas, of conspiracy, an order violation, destruction of property, receiving stolen property, and communicating a hoax in the form of a false general quarters alarm, violations, respectively, of Articles 81, 92, 108, 109, and 134, Uniform Code of Military Justice, 10 U.S.C. §§ 881, 892, 908, 909, and 934. The convening authority (CA) approved the adjudged sentence of confinement for 14 months, reduction to pay grade E-1, and a bad-conduct discharge from the United States Navy.

This record was submitted without specific assignment of error, and no error materially prejudicial to the substantial rights of the appellant exists. During the course of our review, however, we noted that the court-martial order incorrectly states the disposition of several offenses. Because the appellant is entitled to a record that correctly reflects the results of his court-martial, see *United States v. Crumpley*, 49 M.J. 538, 539 (N.M.Ct.Crim.App. 1998), we will order corrective action for this non-prejudicial error in our decretal paragraph.

The findings and the approved sentence are affirmed. The supplemental court-martial order will note that Specification 2 under Charge III was withdrawn by the Government before arraignment and that the Government withdrew and dismissed the language to which the appellant entered "not guilty" pleas in Specification 1 of Charge I and Specification 1 of Charge III as well as Charge VI and its sole specification before the court-martial entered findings.

For the Court

R.H. TROIDL
Clerk of Court