

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

**Before
J.A. MAKSYM, B.L. PAYTON-O'BRIEN, P.H. MCCONNELL
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**MICHAEL J. KLEPEIS
PRIVATE FIRST CLASS (E-2), U.S. MARINE CORPS**

**NMCCA 201100676
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 6 October 2011.

Military Judge: LtCol Nicole Hudspeth, USMC.

Convening Authority: Commanding Officer, 1st Battalion, 2d
Marine Regiment, 2d Marine Division, Camp Lejeune, NC.

Staff Judge Advocate's Recommendation: Maj J.T. Leggett, USMC.

For Appellant: CAPT Stephen White, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

27 March 2012

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 purported to execute the bad-conduct discharge, it was a nullity. *United States v. Bailey*, 68 M.J. 409 (C.A.A.F. 2009).