

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

**Before
B.L. PAYTON-O'BRIEN, J. MCFARLANE, T.R. ZIMMERMANN
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**WILLIAM B. DAVIS
CORPORAL (E-4), U.S. MARINE CORPS**

**NMCCA 201100683
GENERAL COURT-MARTIAL**

Sentence Adjudged: 9 September 2011.

Military Judge: LtCol Gregory Simmons, USMC.

Convening Authority: Commanding General, 1st Marine Division
(REIN), Camp Pendleton, CA.

Staff Judge Advocate's Recommendation: Maj V.G. Laratta, USMC.

For Appellant: LCDR Brandon Boutelle, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

12 September 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 directs that the punitive discharge will be executed after final judgment it is a legal nullity. See *United States v. Tarniewicz*, 70 M.J. 543 (N.M.Ct.Crim.App. 2011).