

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

**Before  
J.A. MAKSYM, R.Q. WARD, D.R. LUTZ  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**JASON K. MATTHEWS  
LANCE CORPORAL (E-3), U.S. MARINE CORPS**

**NMCCA 201200066  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 28 November 2011.

**Military Judge:** Col Deborah McConnell, USMC.

**Convening Authority:** Commanding Officer, 3d Battalion, 10th  
Marines, 2d Marine Division, Camp Lejeune, NC.

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

**For Appellant:** LCDR John Zelinka, JAGC, USN.

**For Appellee:** Mr. Brian Keller, Esq.

**30 April 2012**

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**OPINION OF THE COURT**  
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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).<sup>1</sup>

For the Court

R.H. TROIDL  
Clerk of Court

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<sup>1</sup> 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).