

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

**Before
M.D. MODZELEWSKI, R.G. KELLY, G.G. GERDING
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**ELIAS E. RICHER
CORPORAL (E-4), U.S. MARINE CORPS**

**NMCCA 201200338
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 3 April 2012.

Military Judge: Col Deborah M. McConnell, USMC.

Convening Authority: Commanding Officer, 2d Intelligence
Battalion, II Marine Expeditionary Force, Camp Lejeune, NC.

Staff Judge Advocate's Recommendation: Maj C.G. Tolar, USMC.

For Appellant: CAPT Diane L. Karr, JAGC, USN.

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

27 December 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).