

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

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

**UNITED STATES OF AMERICA**

**v.**

**ROLAND J. BROWN  
SERGEANT (E-5), U.S. MARINE CORPS**

**NMCCA 201200424  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 12 June 2012.

**Military Judge:** Maj Eric L. Emerich, USMC.

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

**Staff Judge Advocate's Recommendation:** LtCol J.W. Hitesman,  
USMC.

**For Appellant:** Maj Peter Griesch, USMCR.

**For Appellee:** LT Philip Reutlinger, JAGC, USN.

**29 January 2013**

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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.<sup>1</sup> Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c).

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).