

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

**Before
B.L. PAYTON-O'BRIEN, R.Q. WARD, D.R. LUTZ
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**NATHEN D. BROWN
PRIVATE (E-1), U.S. MARINE CORPS**

**NMCCA 201200497
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 7 August 2012.

Military Judge: LtCol Nicole Hudspeth, USMC.

Convening Authority: Commanding Officer, Marine Air Control Squadron 2, Marine Air Control Group 28, 2d MAW, USMCFC, Cherry Point, NC.

Staff Judge Advocate's Recommendation: LtCol J.J. Murphy, USMC.

For Appellant: CAPT Stephen White, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

12 March 2013

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).