

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

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

UNITED STATES OF AMERICA

v.

**MICHAEL J. COCKE
ELECTRONICS TECHNICIAN SEAMAN (E-3), U.S. NAVY**

**NMCCA 201200503
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 3 August 2012.

Military Judge: CDR Douglas Barber, JAGC, USN.

Convening Authority: Commander, Navy Region, Mid-Atlantic, Norfolk, VA.

Staff Judge Advocate's Recommendation: LCDR S.J. Gawronski, JAGC, USN.

For Appellant: CDR Michael Pallesen, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

26 February 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). The supplemental court-martial order shall reflect that the drug wrongfully used

by the appellant in Specification 3 under Charge IV was marijuana vice heroin.¹

For the Court

R.H. TROIDL
Clerk of Court

¹ Although we find this error harmless and that no error materially prejudicial to the substantial rights of the appellant occurred, the appellant is entitled to have the promulgating order correctly reflect the results of his court-martial. *United States v. Crumpley*, 49 M.J. 538, 539 (N.M.Ct.Crim.App. 1998).