

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

**Before  
M.D. MODZELEWSKI, E.C. PRICE, J.P. LISIECKI  
Appellate Military Judges**

**UNITED STATES OF AMERICA**

**v.**

**RAMON CHAVEZ  
CULINARY SPECIALIST THIRD CLASS (E-4), U.S. NAVY**

**NMCCA 201300055  
SPECIAL COURT-MARTIAL**

**Sentence Adjudged:** 4 October 2012.

**Military Judge:** CAPT Tierney M. Carlos, JAGC, USN.

**Convening Authority:** Commander, Mine Countermeasures  
Squadron FIVE, NSA Bahrain.

**Staff Judge Advocate's Recommendation:** LCDR Tahmika R.  
Jackson, JAGC, USN.

**For Appellant:** Maj Emmett S. Collazo, USMCR.

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

**28 May 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. Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c).<sup>1</sup> The supplemental court-martial order will reflect that the appellant pled to and was found guilty of Specification 1 of the Charge, that he pled not guilty to Specifications 2 and 3 of the Charge, and that

Specifications 2 and 3 to the Charge were withdrawn prior to the announcement of findings.

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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).

For the Court

R.H. TROIDL  
Clerk of Court