

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

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

UNITED STATES OF AMERICA

v.

**JUSTIN X. KUNTZ
HOSPITALMAN (E-3), U.S. NAVY**

**NMCCA 201300104
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 14 December 2012.

Military Judge: Maj Nicholas Martz, USMC.

Convening Authority: Commanding Officer, 8th Marine
Regiment, 2d Marine Division, Camp Lejeune, NC.

Staff Judge Advocate's Recommendation: Maj J.N. Nelson,
USMC.

For Appellant: CAPT Brent Filbert, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

18 June 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).