

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

**Before
J.K. CARBERRY, M.D. MODZELEWSKI, M. MCALEVY
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**JOSE G. QUINTANAR
PRIVATE FIRST CLASS (E-3), U.S. MARINE CORPS**

**NMCCA 201100208
SPECIAL COURT-MARTIAL**

Sentence Adjudged: 25 January 2011.

Military Judge: LtCol Stephen F. Keane, USMC.

Convening Authority: Commanding Officer, Weapons and Field
Training Battalion (MCRD), Edison Range, Camp Pendleton, CA.

Staff Judge Advocate's Recommendation: Maj Z.W. Keske, USMC.

For Appellant: CDR R.D. Evans, Jr., JAGC, USN.

For Appellee: Capt Paul M. Ervasti.

8 November 2011

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 purports to direct that the punitive discharge will be executed after final judgment it is a legal nullity. See *United States v. Tarniewicz*, __ M.J. __, No. 201100158, 2011 CCA LEXIS 150 (N.M.Ct.Crim.App. 30 Aug 2011).