

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

**Before
J.A. MAKSYM, R.Q. WARD, D.R. LUTZ
Appellate Military Judges**

UNITED STATES OF AMERICA

v.

**BRANDON M. DILLS
SERGEANT (E-5), U.S. MARINE CORPS**

**NMCCA 201100353
GENERAL COURT-MARTIAL**

Sentence Adjudged: 24 March 2011.

Military Judge: LtCol Gregory Simmons, USMC.

Convening Authority: Commanding General, 3d Marine Aircraft
Wing, Marine Corps Air Station Miramar, San Diego, CA.

Staff Judge Advocate's Recommendation: Col Kurt Brubaker, USMC.

For Appellant: Maj Peter Griesch, USMCR.

For Appellee: Mr. Brian Keller, Esq.

30 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*, 70 M.J. 543 (N.M.Ct.Crim.App. 2011).