

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

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

UNITED STATES OF AMERICA

v.

**NOLAN P. CYRE
SERGEANT (E-5), U.S. MARINE CORPS**

**NMCCA 201200109
GENERAL COURT-MARTIAL**

Sentence Adjudged: 10 January 2012.

Military Judge: Maj Clay Plummer, USMC.

Convening Authority: Commanding Officer, Marine Corps Base,
Camp Lejeune, NC.

Staff Judge Advocate's Recommendation: Maj M.V. Cava, USMC.

For Appellant: CAPT Stephen White, JAGC, USN.

For Appellee: Capt Crista Kraics, USMC.

21 June 2012

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.¹ Art. 66(c), Uniform Code of Military Justice, 10 U.S.C. § 866(c). The supplemental court-martial order will reflect that the appellant was found guilty of Specification 3 under Charge II.

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).

