

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

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

UNITED STATES OF AMERICA

v.

**DARIO E. ALATORRE
FIRST LIEUTENANT (O-2), U.S. MARINE CORPS**

**NMCCA 201200147
GENERAL COURT-MARTIAL**

Sentence Adjudged: 2 December 2011.

Military Judge: LtCol Stephen Keane, USMC.

Convening Authority: Commanding General, 1st Marine
Division (REIN), Camp Pendleton, CA.

Staff Judge Advocate's Recommendation: Maj V.G. Laratta,
USMC.

For Appellant: LT Jared Hernandez, JAGC, USN; LT Daniel
LaPenta, JAGC, USN.

For Appellee: Mr. Brian Keller, Esq.

7 November 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. 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).