

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

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

UNITED STATES OF AMERICA

v.

**NICHOLAS B. DUERSON
MASTER-AT-ARMS SECOND CLASS (E-5), U.S. NAVY**

**NMCCA 201200507
GENERAL COURT-MARTIAL**

Sentence Adjudged: 14 August 2012.

Military Judge: CAPT Tierney Carlos, JAGC, USN.

Convening Authority: Commanding Officer, Naval Region Mid-Atlantic, Norfolk, VA.

Staff Judge Advocate's Recommendation: LCDR S.J. Gawronski, JAGC, USN.

For Appellant: Capt Jason Wareham, USMC.

For Appellee: Mr. Brian Keller, Esq.

26 February 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). The supplemental court-martial order shall reflect the correct dates of the offenses in Specifications 1, 2, and 3 under Charge III as on or

about 30 April 2012, on or about 30 April 2012, and on or about March 2012, respectively.¹

For the Court

R.H. TROIDL
Clerk of Court

¹ The incorrect year of 2010 was used in the summaries of each of these specifications in the general court-martial order dated 4 December 2012. Although we find this error harmless and that no error materially prejudicial to the substantial rights of the appellant occurred, the appellant is entitled to have the promulgating order correctly reflect the results of his court-martial. *United States v. Crumpley*, 49 M.J. 538, 539 (N.M.Ct.Crim.App. 1998).