

RECORD OF PROCEEDINGS UNDER SECTION 450.1 CMVC

For use of this form, see CMCM; the proponent agency is The State SJA

See Notes on Reverse Before Completing Form

NAME	GRADE	SSAN	UNIT
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1. I am considering whether you should be punished under Article 15, UCMJ, for the following misconduct: 1/

2. You are not required to make any statements, but if you do, they may be used against you in the proceeding or at a trial by court-martial. You have several rights under this individual punishment proceeding. First, I want you to understand I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s). You may ordinarily have an open hearing before me. You may request a person to speak on your behalf. You may present witnesses or other evidence to show why you shouldn't be punished at all (matters of defense) or why punishment should be very light (matters of extenuation and mitigation). I will consider everything you present before deciding whether I will impose punishment or the type and amount of punishment I will impose. 2/ If you do not want me to dispose of this report of misconduct under Section 450.1 CMVC, you have the right to demand trial by court-martial instead. 3/ In deciding what you want to do you have the right to consult with legal counsel located at:

_____ You now have 48 hours to decide what you want to do. 4/

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
TIME:		

3. Having been afforded the opportunity to consult with counsel, my decisions are as follows: (initial appropriate blocks, date, and sign)

- a. I demand trial by court-martial.
- b. I do not demand trial by court-martial and in the proceedings:
- (1) I request the hearing be Open Closed (2) A person to speak in my behalf is is not requested.
- (3) Matters in defense, mitigation, and/or extenuation Are not presented Will be presented in person Are attached.

DATE	NAME, GRADE OF SERVICE MEMBER	SIGNATURE
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4. In a(n) Open Closed hearing 5/ all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: 6/

5. I direct the original CAL NG Form 2627 be filed in the permanent temporary portion of the MPRJ.

6. You are advised of your right to appeal to the _____ within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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7. (Initial appropriate block, date, and sign)

- a. I do not appeal b. I appeal and do not submit additional matters 8/ 9/ c. I appeal and submit additional matters.

DATE	NAME, GRADE OF SERVICE MEMBER	SIGNATURE
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8. I have considered the appeal and it is my opinion that:

DATE	NAME, GRADE OF JUDGE ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:

- Denied Granted as follows: 10/

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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10. I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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11. ALLIED DOCUMENTS AND/OR COMMENTS 11/ 12/ 13/

This matter is a STATE Nonjudicial Punishment Proceeding

NOTES

- 1/ Insert a concise statement of each offense in terms stating a specific violation and the Article of the UCMJ (Part IV, MCM). If additional space is needed, use item 11 or continuation sheets as described in note 11 below.
- 2/ Inform the member of the maximum punishment which may be imposed under nonjudicial punishment.
- 3/ Inform the member that if he or she demands trial, trial could be by SCM, SPCM, or GCM. Additionally, inform the member that he or she may object to trial by SCM and that at SPCM or GCM he or she would be entitled to be represented by qualified military counsel, or by civilian counsel at no expense to the government.
- 4/ Give the member copy 5 of this form.
- 5/ Offenses determined not to have been committed will be lined out. If the imposing commander decides not to impose punishment, the member will be notified and all copies of this form will be destroyed.
- 6/ Amounts of fines will be rounded to the next lower dollar. If a punishment is suspended, the following statement should be added after it: To be automatically remitted if not vacated before (date). If punishment includes a written admonition or reprimand, it will be attached to this form and listed in Item 11.
- 7/ The imposing commander will initial the appropriate block.
- 8/ If the member appeals, this form and all written evidence considered by the imposing commander will be forwarded to the superior authority.
- 9/ Before acting on an appeal, it must be referred to a judge advocate for advice when the punishment, whether or not suspended, includes reduction of one or more pay grades from the fourth or a higher pay grade, or is in excess of one of the following: 7 days arrest in quarters, 7 days correctional custody, fine of 7 days pay, or 14 days of either extra duties or restriction. (See CMVC Section 450.1)
- 10/ The superior authority will initial the appropriate block. If the appeal is granted, the specific relief granted will be stated according to note 12.
- 11/ In this space indicate the number of pages attached as follows: Allied documents on appeal consist of _____ pages. Allied documents include all written matters considered by the imposing commander, submitted by the member on appeal and commander's rebuttal, if applicable. If additional space is needed for completion of any item(s), use plain bond headed "Continuation Sheet 1," etc.
- 12/ Applicable portions of the following format may be used to record action taken on an appeal. Appropriate language should be entered in item 11 or, if necessary, on continuation sheets. Supplementary actions (para 3-38, AR 27-10) will be recorded on CAL NG Form 2627-2

Suspension, Mitigation, Remission, or Setting Aside.

On (date) the punishment(s) of _____

imposed on (date of punishment) (was) (were) (suspended and will be automatically remitted if not vacated before (date)) (mitigated to) (set aside, and all rights, privileges, and property affected restored) (by my order) (by order of) (the officer who imposed the punishment) (the successor in command to the imposing commander) (as superior authority)

(Typed name, grade, and organization of commander)

/s/ _____

- 13/ Racial/ethnic identifiers will be placed in item 11.