

SAMPLE REPORT OF OFFENSE AND DISPOSITION (CG-4910)

DEPARTMENT OF TRANSPORTATION U.S. COAST GUARD CG-4910 (Rev. 8-92)		REPORT OF OFFENSE AND DISPOSITION							
TO COMMANDING OFFICER, USCGC NORTHLAND (WMEC 904)							DATE OF REPORT 25MAR00		
I hereby report the following named person for the offense(s) noted:									
NAME OF ACCUSED SMITHY, Ivan M.				RATE/GRADE SN/E-3		DIV./DEPT. OPERATIONS			
PLACE OF OFFENSE(S) USCGC NORTHLAND, Portsmouth, VA				DATE OF OFFENSE(S) 24MAR00					
DETAILS OF OFFENSE(S) (Recite article UCMJ, if known. Not necessary to use form specification in Part 4, MCM. Generally describe actions of accused which are believed to constitute offense(s) under the UCMJ.) Art. 86, UCMJ: Unauthorized absence from unit beginning at 0730, 24 March 2000 until 0900, 24 March 2000. Art. 89, UCMJ: Disrespect toward ENS WHITE, SN SMITHY's superior officer, by telling ENS WHITE, "shut up and get off my back. I'm sick and tired of your stupid orders," and calling ENS WHITE a "thick-headed child" while contemptuously turning away from and leaving ENS WHITE.									
NAME OF WITNESS		RATE/ GRADE	DIV/ DEPT.	NAME OF WITNESS		RATE/ GRADE	DIV/ DEPT.		
WHITE, Frank W.		ENS	DECK	MONTOYA, Thomas M.		SK3	SUPPLY		
GREEN, John T.		BM3	DECK						
RATE/GRADE/TITLE OF PERSON SUBMITTING REPORT ENS Frank W. WHITE, USCG, Weapons Officer				SIGNATURE OF PERSON SUBMITTING REPORT <i>Frank White</i> ENS USCG					
INITIAL ACTION OF EXECUTIVE OFFICER									
(When allegations apparently involve minor offenses normally handled by NJP or SCM, the accused should be advised of the allegation(s) and offered the opportunity to select a representative. If a statement is to be requested, advise accused of rights from Form CG-5188A or "Encl. (S)", MJM (COMDTINST M5810.1 Series). Thereafter the matter should be referred, with the next section of information provided, to a preliminary inquiry officer for investigation.) I have been informed of the Offense(s) which I am suspected of having committed, that the command is considering the imposition of nonjudicial punishment and has assigned a preliminary inquiry officer, and									
<input checked="" type="checkbox"/> I DESIRE THAT SA <u>Richard S. ENG</u> BE APPOINTED AS MY REPRESENTATIVE IN THIS CASE.									
<input type="checkbox"/> I DO NOT DESIRE THE APPOINTMENT OF A REPRESENTATIVE.									
				<i>Jan Smithy</i> (Signature of accused)					
<u>BM1 Michael C. LOYER</u>				IS APPOINTED THE ACCUSED'S REPRESENTATIVE.					
<u>LTJG Allison M. FAIR</u>				IS DESIGNATED THE PRELIMINARY INQUIRY OFFICER.					
				<i>Charles Taylor</i> LCDR USCG (Signature of Executive Officer)					
INFORMATION CONCERNING ACCUSED									
CURRENT ENL. DATE	EXP. CURRENT ENL. DATE	TOTAL ACTIVE SERVICE	TOTAL SERVICE ON BOARD	EDUCATION	GCT	AGE	MARITAL STATUS	NO. OF DEPENDENTS	PAY PER MO. (including sea or foreign duty pay)
05MAY98	04MAY03	1 yr 10 mos	1 yr 6 mos	12	50	22	S	0	\$915.00
RECORD OF PREVIOUS OFFENSE(S) (Date, type, action taken, etc., Nonjudicial punishment incidents are to be included.) 9/1/99: NJP, Violation of Art. 134, 2 weeks restriction									

PREVIOUS EDITION IS OBSOLETE

PRELIMINARY INQUIRY OFFICER'S REPORT		
<p>I have advised <u>SN Ivan M. SMITHY</u> of the information upon which the allegations are based and offered him/her the opportunity to examine the available statements and evidence.</p>		
<p>COMMENT. (Address witness availability and conflicts of evidence. Summarize available evidence to support each element of the offense alleged. Including location of real and documentary evidence. Attach statements, or summaries of statements of witnesses. Summarize reasons for ultimate recommendation.) On 24 March 2000, according to the ship's log, ENS SHARMA, Inport OOD, and LT Schuller, Department Head, Supply, SN SMITHY failed to report to USCGC NORTHLAND (WMEC 904) for duty as required at 0730 when liberty expired. The ship's log and the OOD indicate SN SMITHY reported for duty at 0900. Upon SN SMITHY's arrival, ENS WHITE, Weapons Officer, and SN SMITHY's superior officer, told SN SMITHY to report immediately to the Combat Information Center. According to ENS WHITE, and witnesses BM3 GREEN and SK3 MONTOYA, SN SMITHY said to ENS WHITE, "Shut up and get off my back. I'm sick and tired of your stupid orders. If you weren't such a thick-headed child, you could tell that I'm already going to combat right now." Witness statements and a copy of the ship's log for 24 March 2000 are attached.</p>		
<p>RECOMMENDATION AS TO DISPOSITION:</p> <p> <input checked="" type="checkbox"/> DISPOSE OF CASE AT MAST <input type="checkbox"/> NO PUNITIVE ACTION NECESSARY OR DESIRABLE <input type="checkbox"/> REFER TO COURT MARTIAL FOR TRIAL OF ATTACHED CHARGES <input type="checkbox"/> OTHER (Specify) _____ <small>(Complete Charge Sheet DD Form 458, page 1.)</small> </p>		
<p>SIGNATURE OF INVESTIGATING OFFICER <u>Alison M. Fair, LTJG USCG</u></p>		
ACTION OF EXECUTIVE OFFICER		
<p> <input type="checkbox"/> DISMISSED <input checked="" type="checkbox"/> RECOMMEND CAPTAIN'S MAST <input type="checkbox"/> INFORMED ACCUSED OF RIGHTS TO REFUSE NJP AND CONFER WITH COUNSEL. (If accused not attached to or embarked in a vessel.) <input type="checkbox"/> ACKNOWLEDGEMENT OF RIGHTS/ACCEPTANCE OF NJP FORM ATTACHED <input type="checkbox"/> RECOMMEND TRIAL BY _____ COURT-MARTIAL <u>Charles Taylor, LCDR USCG</u> <small>(Signature of Executive Officer)</small> </p>		
ACTION OF COMMANDING OFFICER		
<p> <input type="checkbox"/> DISMISSED <input checked="" type="checkbox"/> REDUCTION TO PAY GRADE <u>E-2</u> <input type="checkbox"/> DISMISSED WITH WARNING (Not considered NJP) <input checked="" type="checkbox"/> EXTRA DUTIES <u>21</u> DAYS <input type="checkbox"/> ADMONITION: ORAL/IN WRITING <input type="checkbox"/> PUNISHMENT SUSPENDED FOR _____ MOS. <input type="checkbox"/> REPRIMAND: ORAL/IN WRITING <input type="checkbox"/> ART. 32 INVESTIGATION <input checked="" type="checkbox"/> REST TO <u>CGC NORTHLAND</u> FOR <u>21</u> DAYS <input type="checkbox"/> REFER TO SPCM <input type="checkbox"/> FORFEITURE: TO FORFEIT \$ _____ PAY PER MO. FOR _____ MO(S). <input type="checkbox"/> REFER TO SCM <input type="checkbox"/> CORRECTIONAL CUSTODY FOR _____ DAYS </p>		
DATE OF MAST <u>28MAR00</u>	DATE ACCUSED INFORMED OF ABOVE ACTION AND NJP APPEAL RIGHTS <u>28MAR00</u>	SIGNATURE OF COMMANDING OFFICER <u>Abel B. Pree, CDR, USCG</u>
FINAL ADMINISTRATIVE ACTION		
APPEAL SUBMITTED BY ACCUSED DATE: <u>28MAR00</u> FORWARDED FOR DECISION ON <u>28MAR00</u>	FINAL RESULT OF APPEAL: Denied by Commander, Atlantic Area on 31 April 2000.	
APPROPRIATE ENTRIES MADE IN SERVICE RECORD (Date & Initials) <u>1 April 2000</u>	FILED IN UNIT PUNISHMENT BOOK (Date & Initials) <u>1 April 2000</u>	

BLANK REPORT OF OFFENSE AND DISPOSITION (CG-4910)

REPORT OF OFFENSE AND DISPOSITION

TO	DATE OF REPORT
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I hereby report the following named person for the offense(s) noted:

NAME OF ACCUSED	RATE/GRADE	DIV./DEPT.
PLACE OF OFFENSE(S)	DATE OF OFFENSE(S)	

DETAILS OF OFFENSE(S) (Recite article UCMJ, if known. Not necessary to use form specification in Part 4, MCM. Generally describe actions of accused which are believed to constitute offense(s) under the UCMJ.)

NAME OF WITNESS	RATE/ GRADE	DIV./ DEPT.	NAME OF WITNESS	RATE/ GRADE	DIV./ DEPT.

RATE/GRADE/TITLE OF PERSON SUBMITTING REPORT	SIGNATURE OF PERSON SUBMITTING REPORT
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INITIAL ACTION OF EXECUTIVE OFFICER

(When allegations apparently involve minor offenses normally handled by NJP or SCM, the accused should be advised of the allegation(s) and offered the opportunity to select a representative. If a statement is to be requested, advise accused of rights from Form CG-5168A or "Encl. (5)", MJM (COMDTINST M5810.1 Series). Thereafter the matter should be referred, with the next section of information provided, to a preliminary inquiry officer for investigation.)

I have been informed of the Offense(s) which I am suspected of having committed, that the command is considering the imposition of nonjudicial punishment and has assigned a preliminary inquiry officer, and

I DESIRE THAT _____ BE APPOINTED AS MY REPRESENTATIVE IN THIS CASE.

I DO NOT DESIRE THE APPOINTMENT OF A REPRESENTATIVE.

(Signature of accused)

_____ IS APPOINTED THE ACCUSED'S REPRESENTATIVE.

_____ IS DESIGNATED THE PRELIMINARY INQUIRY OFFICER.

(Signature of Executive Officer)

INFORMATION CONCERNING ACCUSED

CURRENT ENL. DATE	EXP. CURRENT ENL. DATE	TOTAL ACTIVE SERVICE	TOTAL SERVICE ON BOARD	EDUCATION	GCT	AGE	MARITAL STATUS	NO. OF DEPENDENTS	PAY PER MO. (including sea or foreign duty pay)

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