

## RECORD OF PROCEEDINGS OF VACATION OF SUSPENDED NONJUDICIAL PUNISHMENT

Name of Service Member	Rate / Grade	Unit	Attachment(s)
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**1. Notice of Vacation Proceedings.**

- a) On \_\_\_\_\_ the nonjudicial punishment shown in attached CG-4910 was imposed on you under the provisions of Article 15, Uniform Code of Military Justice (UCMJ). This notice of vacation proceedings concerns the suspended portion of your nonjudicial punishment.
- b) I am considering whether to vacate some or all of the suspended nonjudicial punishment because you allegedly violated the condition(s) of your suspension as listed in item 7.
- c) You may present matters in defense, extenuation, or mitigation regarding the alleged violation(s) on which this vacation action is based. You may request to make a written presentation, or a personal appearance, or both. If you request a personal appearance, and that request is granted, you may (1) personally appear before me (or my designee, in some cases); (2) present evidence; (3) present witnesses who are reasonably available; and (4) be accompanied by someone to speak on your behalf. You do not have to make any oral or written statement, but if you do, any statement made may be used against you in this or a later proceeding. A military defense counsel is available to further explain these rights to you. You may contact a military defense counsel at \_\_\_\_\_, telephone number \_\_\_\_\_.
- d) You will notify me of your elections in item 3 below and submit any matters you wish considered by \_\_\_\_\_ (Hours), \_\_\_\_\_ (Date), unless I grant you an extension of time. I will make my vacation decision only after consider the matters you present.

Name of Commanding Officer	Rate / Grade	Signature / Date
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**2. Notification.** *(Applicable only if someone other than the Commanding Officer is notifying the service member)*

Name of Person Notifying Member	Signature / Date	Time Served
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**3. Member's Elections.** *(Member initials one block on each line)*

- a)  I have been given the meaningful opportunity to speak with legal counsel.
- b)  I have attached a written presentation.       I have not attached a written presentation.
- c)  I request a personal appearance before you.       I do not request a personal appearance before you.

Name of Service Member	Signature / Date
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**4. Commander's Decision.**

- a) I have considered the evidence summarized in section 6, including any matters you have presented, and find that:  
*(Commander initials one block)*
- (1)  Vacation of the suspended punishment is not appropriate or you did not violate the condition(s) of your suspension. I hereby terminate these vacation proceedings.
- (2)  You violated one or more of the conditions of your suspension. I lined out and initialed the violations, if any, for which I determined vacation of the suspended punishment is not appropriate or which you did not violate. I hereby vacate the suspended punishment as listed in section 7.
- b) The vacation of the suspended nonjudicial punishment is effective immediately unless otherwise stated.

Name of Commanding Officer	Signature / Date
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**5. Member's Acknowledgment.** I have seen the action taken on the proceedings of vacation of suspended nonjudicial punishment and I understand that there is no right to appeal this decision.

Name of Service Member	Signature / Date
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**6. Summary of the evidence.**

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**7. Violation(s) and individualized findings and determination.** *(Describe the conditions violated by listing any punitive article(s) violated and their specification(s). If applicable, describe how any other condition(s) was violated)*