

## MILPERSMAN 1050-330

### WHEN THE CONVENING AUTHORITY (CA) ACTS

<b>Responsible Office</b>	NAMALA	Phone:	DSN COM	325-0100 (202) 685-0100
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MyNavy Career Center	Phone: Toll Free E-mail: MyNavy Portal:	1-833-330-MNCC (6622) <a href="mailto:askmncc@navy.mil">askmncc@navy.mil</a> <a href="https://my.navy.mil/">https://my.navy.mil/</a>
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<b>Reference</b>	(a) Manual for Courts-Martial (MCM), United States, 8 August 2023
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1. **When The Convening Authority (CA) Acts.** Commands must take the following actions once the CA acts:

IF the CA ...	and ...	then ...
Disapproves, remits, or suspends the punitive discharge or dismissal,	the member's expiration of active obligated service (EAOS) has occurred,	separate the member by reason of EAOS (see <a href="#">MILPERSMAN 1910-104</a> ). If high year tenure applies, refer to <a href="#">MILPERSMAN 1160-120</a> . If sanctuary applies, refer to Navy Personnel Command (NAVPERSCOM) Career Progression Department (PERS-8).
	the member's EAOS has not occurred,	if on requested (voluntary) appellate leave, recall the member to active duty and or process for administrative separation per <a href="#">MILPERSMAN 1910-100</a> . If high year tenure applies, refer to <a href="#">MILPERSMAN 1160-120</a> . If sanctuary applies, refer to PERS-8.

IF the CA ...	and ...	then ...
<p>approves the punitive discharge or dismissal,</p>	<p>the member is not on requested (voluntary) appellate leave</p>	<p>the CA may place the member on mandatory (involuntary) appellate leave per <a href="#">MILPERSMAN 1050-340</a>.</p>
	<p>the member is on requested (voluntary) appellate leave,</p>	<p>effect reduction, forfeiture, confinement, etc.;</p> <p>Navy Standard Integrated Personnel System (NSIPS) activities use Legal - Court Memorandum Create, as appropriate. Submit completed Court Memorandum to report forfeiture, reduction, confinement, etc.;</p> <p>Defense Military Pay Office activities submit E701 FID to report forfeiture, reduction, confinement, etc.;</p> <p>Submit activity loss transaction to Navy and Marine Corps Appellate Leave Activity (NAMALA) unit identification code (UIC) 47353;</p> <p>NSIPS activities use Activity Loss - Create to transfer member to NAMALA UIC 47353 (loss reason "TD4 - TEMDU OTHER"). Since this is an administrative transfer only, no proceed, leave, or travel days will be authorized (the loss departure date and estimated date of arrival will be the same);</p> <p>DMO activities submit SH03 FID to transfer member to NAMALA UIC 47353; and</p> <p>Update NSIPS Transient Tracking on member, as applicable, which may include:</p> <ul style="list-style-type: none"> <li>• Transient - General (accounting category code (ACC), ACC effective date, transient tracking code, etc.); or</li> <li>• Legal Information (disciplinary action, confinement, appellate leave information).</li> </ul>

IF the CA ...	and ...	then ...
<p>approves the punitive discharge or dismissal,</p>	<p>the member is on requested (voluntary) appellate leave,</p>	<p>send letter to member for Change of Status to Mandatory Appellate Leave per <a href="#">MILPERSMAN 1050-380</a>. Send medical and dental records via certified mail to:</p> <p>Commanding Officer            Navy and Marine Corps            Appellate Leave Activity            1325 10<sup>th</sup> Street SE Suite 303            Washington Navy Yard, DC 20374-5070</p> <p><b>NOTE:</b> The waiver of appellate review can be verified by contacting the CA's staff judge advocate or legal officer or the appellant's trial defense counsel at the Defense Service Office or Command Services at the Region Legal Service Office advising the CA.</p> <p>Cases in which appellate review is waived or withdrawn are reviewed by a judge advocate under rule 1201 of reference (a);</p> <p>Upon completion of the judge advocate's review, execute the punitive discharge per <a href="#">MILPERSMAN 5815-010</a>; do not transfer records to NAMALA or place member on mandatory appellate leave; and</p> <p>Provide the member, by certified mail, a copy of the judge advocate's review and action by the officer exercising general court-martial jurisdiction under rule 1201, of reference (a).</p>