

MILPERSMAN 1626-010

DEFERMENT OF DISCIPLINARY ACTION WHEN SERVICE RECORDS ARE NOT AVAILABLE

Responsible Office	NAVPERSCOM (PERS-832)	Phone:	DSN	882-4427
			COM	(901) 874-4427
			FAX	882-2624

References	(a) JAGINST 5800.7C, Manual of the Judge Advocate General (JAGMAN) (b) Manual for Courts-Martial
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1. **Policy.** Per references (a) and (b):

a. **General Courts-Martial (GCM) action.** Members will not be tried by GCM when their original or duplicate service records are not available.

b. **Special Court-Martial (SPCM) action.** Members will not be tried by SPCM without their original or duplicate service records, **except** where the delay is likely to defer the initiation of disciplinary action for a period of more than 20 days.

c. **Nonjudicial Punishment (NJP) action.** For returning unauthorized absentees, defer mast until the record is available, if practical. Only in the most unusual cases will unauthorized absences be excused or the accused merely warned. Where such action is taken, file a signed statement of the pertinent facts in the member's service record and forward a copy to Navy Personnel Command (NAVPERSCOM), Enlisted Performance and Separations Section (PERS-832). Nothing precludes taking NJP action without the availability of the service record.