



NAVY APPELLATE LEAVE CHECKLIST

NAVY AND MARINE CORPS APPELLATE LEAVE ACTIVITY

APPELLANT NAME: _____ UIC: _____ COMMAND: _____

- **Voluntary Appellate Leave** can be requested by the member when all confinement is completed (if awarded), but the Entry of Judgment (EOJ) has not been signed. The member will remain under current command's UIC until the local legal review is complete, the CA has acted, and the EOJ has been signed. Complete sections 1-4 of this checklist prior to placing a member on Voluntary Appellate leave.
- **Involuntary Appellate Leave** is mandatory once the CA has acted on the court-martial case and the EOJ is complete. The member must be transferred to NAMALA once confinement is completed (if awarded) while awaiting completion of their appellate review. Sections 1-5 of this checklist must be completed prior to transferring a member to NAMALA.
- **Change of Status from Voluntary to Involuntary Appellate Leave** occurs when the sentence is approved by the CA and the EOJ is complete. A letter shall be provided to the member informing them of the change in their status from Voluntary to Involuntary Appellate Leave IAW MILPERSMAN 1050-380. The member must be transferred to NAMALA upon completion of section 5 of this checklist (sections 1-4 should have already been completed prior to sending member on voluntary appellate leave).

BEFORE TRANSFERRING A MEMBER TO NAMALA, YOU MUST COMPLETE THE FOLLOWING:
(INITIALS OR N/A NEXT TO EACH ITEM CONFIRMS THAT THE ITEM WAS REVIEWED, AND ACTION WAS TAKEN AND COMPLETED)

1. APPELLATE REVIEW DOCUMENTS/TASKS (INITIAL OR WRITE "N/A" FOR EACH ITEM):

- ___ **DD FORM 2717** Appellant Request for Voluntary Appellate Leave
- ___ **NAVCOMPT 3065** (hard copy) with member's Appellate Leave address and phone number
- ___ **NAVPERS 1050/3** Appellate Leave Statement of Understanding
- ___ **Page 13** entry to reflect acceptance/refusal of drug and/or alcohol treatment (*if applicable*)
- ___ **DNA Collection** completed IAW 10 U.S.C. 1565 DNA collection date _____;
Kit # _____ (*if applicable, see attached chart for qualifying offenses*)
- ___ **DD FORM 2791** Notice of Release/Acknowledgement of Convicted Sex Offender Registration completed IAW DoDI 1325.07 (*if applicable*)
- ___ Provide copy of Statement of Trial Results
- ___ Provide copy of Military Protective Order (MPO) (if applicable). Losing command Commanding Officer (CO) shall notify the CO, NAMALA of MPO prior to transferring the member IAW NAVADMIN 120/22.

2. SEPARATION DOCUMENTS/TASKS (INITIAL EACH ITEM):

- ___ **Revoke** member's Security Clearance (per SECNAV M-5510.30)
- ___ **NPPSC 1900/1** Separation Questionnaire (typed)
- ___ **Separation Physical** completed to include HIV, DD Form 2807-1, DD Form 2808, and SF-600. For Reservists, DD Form 2697 is additionally required.
- ___ Complete **Transition Assistance Program (TAP)** (to include Capstone and DD Form 2648, Pre-separation Counselling Checklist)

3. MEMBER DATA DOCUMENTS/TASKS (INITIAL EACH ITEM):

- ___ **Update** Record of Emergency Data/Dependency Application (RED/DA)
- ___ **Update** Service Member's Group Life Insurance (SGLI) IAW MILPERSMAN 1741-020 (member can login to SOES via DOD MILCONNECT utilizing their CAC or DS Logon). DOD MILCONNECT is the preferred method of SGLI certification. Use of the SGLV-8286 and SGLV-8286a for spousal election (if applicable) is the last resort if the member is not able to certify via SOES.

4. DOD ID CARD (INITIAL EACH ITEM):

- ___ **Advise** member to obtain an appellant ID card for the member and dependents (if applicable) upon assignment to NAMALA at the nearest RAPIDS location. Member should contact NAMALA for a control number (a requirement to issue an Appellant ID).



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5. INVOLUNTARY APPELLATE LEAVE ACTION (INITIAL EACH ITEM):

- ___ **Forward** member's Post-Trial Action form (includes CA's Action) and EOJ
- ___ **Issue** member a Change of Status Letter IAW MILPERSMAN 1050-380 – provide a copy to NAMALA
(*applies only to member's previously placed on voluntary appellate leave*)
- ___ **Contact** Mr. Michael Nash, PERS-451, for Assignment Orders to NAMALA
(michael.t.nash.civ@us.navy.mil)
- ___ **Mail** Medical and Dental record via Certified Mail to NAMALA. If the medical/dental record has been lost, provide an email to NAMALA stating that records will not be mailed.

**COMMANDING OFFICER
NAVY AND MARINE CORPS APPELLATE LEAVE ACTIVITY
1325 10TH ST SE BLDG 196 SUITE 303
WASHINGTON, NAVY YARD, D.C. 20374-5147**

**** A COPY OF ALL COMPLETED DOCUMENTATION ALONG WITH THIS COMPLETED CHECKLIST MUST BE FORWARDED TO NAMALA FOR REVIEW/PROCESSING. NAMALA WILL NOT ACCEPT APPELLANT UNTIL ALL LINE ITEMS ARE RECEIVED. ****

Voluntary Appellate Leave:

Sections 1-4 Completed By: _____ Phone/Email: _____

Change of Appellate Leave Status (Voluntary to Involuntary):

Section 5 Completed By: _____ Phone/Email: _____

Involuntary Appellate Leave:

Sections 1-5 Completed By: _____ Phone/Email: _____

NAMALA CONTACT INFORMATION

PHONE: (202) 685-0100

EMAIL: omb_mbw_namala@usmc.mil

WEBSITE: <https://www.mynavyhr.navy.mil/support-services/corrections-programs/namala/namala-faqs/>

REFERENCES: 10 U.S.C. 706; 10 U.S.C. 876a; NAVMED P-117, CHAP 15, MILPERSMAN 1050-310 through MILPERSMAN 1050-380

Fingerprinting SUBJECT?

Do you have a reasonable cause that SUBJECT committed the offense?
If a review

YES

NO

Is DoI 5505.11 offense?
(See list to right)

YES

NO

Collect DNA and submit to USACIL

Do not collect DNA

SUBJECT going into Pretrial Confinement?

Is SUBJECT going into pre-trial confinement for more than 72 hrs. for any offense?

YES

NO

Collect DNA and submit to USACIL

Do not collect DNA

Charges Preferred?

Have charges been preferred against SUBJECT for any offense?

YES

NO

Collect DNA and submit to USACIL

Do not collect DNA

Most common reasons kits are rejected:

1. Fingerprint is missing (or illegible)
2. DNA sample card is missing SSN (or illegible)
3. DNA data card is missing the name and/or SSN (or illegible)
4. DNA sample and/or DNA collection card are not inside the envelope
5. No DNA on swab and/or transferred onto pink sample card
6. Do not use the CODIS kit for SUBJECT's known standards

Most common reason kits are put on hold:

1. No signature of collector;
2. Offender DOB is missing or is a current date
3. Collector information is missing; full address must be listed
4. No DoDI 5505.11 offense listed; must list Article number and specific type of investigation (Critical for Articles 112a and 134)

DNA collections on civilians may be done for similar federal offenses (to include similar offenses under the Assimilative Crimes Act, 18 USC §13) as those listed. Do-not collect DNA samples on juvenile SUBJECTS cases. Do NOT collect DNA samples on juvenile SUBJECTS

Arrestee DNA Collections for Investigators

DoDI 5505.11, (Enclosure 2) July 9, 2010: Collect DNA for the following offenses:

Article 78 - Accessory after the fact (for crimes listed in this enclosure)

Article 80 - Attempts (for crimes listed in this enclosure)

Article 81 - Conspiracy (for crimes listed in this enclosure)

Article 82 - Solicitation

Article 85 - Deviation

Article 90 - Striking or assaulting a superior commissioned officer

Article 91 - Striking or assaulting a warrant, noncommissioned, or petty officer

Article 94 - Mutiny and sedition

Article 95 - Resistance, flight, breach of arrest, and escape

Article 97 - Unlawful detention

Article 106 - Spies

Article 108a - Espionage

Article 107 - False official statements

Article 108 - Military property of the United States; sale, loss, damage, destruction, or wrongful disposition

Article 109 - Property other than military property of the United States - waste, spoilage, or destruction

Article 111 - Drunken or reckless operation of vehicle, aircraft, or vessel

Article 112a - Wrongful distribution, introduction, or intent to distribute controlled substances; **DO NOT COLLECT for simple use/possession**

Article 116 - Riot or breach of peace

Article 118 - Murder

Article 119 - Manslaughter

Article 119a - Death or injury of an unborn child

Article 120 - Rape and carnal knowledge (for offenses committed prior to October 1, 2007)

Article 120 - Rape, sexual assault, and other sexual misconduct (for offenses committed on or after October 1, 2007)

Article 120a - Stalking (for offenses committed on or after October 1, 2007)

Article 121 - Larceny and wrongful appropriation

Article 122 - Robbery

Article 123 - Forgery

Article 123a - Making, drawing, or uttering check, draft, or order without sufficient funds

Article 124 - Maiming

Article 125 - Sodomy

Article 126 - Arson

Article 127 - Extortion

Article 128 - Assault

Article 129 - Burglary

Article 130 - Housebreaking

Article 131 - Perjury

Article 132 - Frauds against the United States

The following offenses pursuant to Article 134:

Assault - Indecent (for offenses committed prior to October 1, 2007)

Assault - With intent to commit murder, voluntary manslaughter, rape, robbery, sodomy, arson, burglary, or housebreaking

Bribery and graft

Burning with intent to defraud

Child Endangerment (for offenses committed on or after October 1, 2007) and Child Pornography

False or unauthorized pass offenses

False pretenses, obtaining services under

False swearing

Firearm, discharge - willfully, under such circumstances as to endanger human life

Fleeing the scene of an accident

Homicide, negligent

Impersonating a commissioned, warrant, noncommissioned, or petty officer, or an agent or official

Indecent acts or liberties with a child (for offenses committed prior to October 1, 2007)

Indecent exposure (for offenses committed prior to October 1, 2007)

Indecent language

Indecent acts with another (for offenses committed prior to October 1, 2007)

Kidnapping

Mail: taking, opening, secreting, destroying, or stealing

Mail: depositing or causing to be deposited obscene matters in

Misprision of serious offense

Obstructing justice

Wrongful interference with an adverse administrative proceeding

Pandering and prostitution (having someone commit an act of prostitution is still an offense pursuant to Article 134, but if the pandering is "compelled," it becomes an Article 129 offense, on or after October 1, 2007)

Perjury: subornation of

Public record: altering, concealing, removing, mutilating, obliterating, or destroying

Reckless endangerment

Seizure: destruction, removal, or disposal of property to prevent

Self-injury without intent to avoid service

Soliciting another to commit an offense (for crimes listed in this enclosure)

Stolen property: knowingly receiving, buying, concealing

Testify: wrongful refusal

Threat or hoax designed or intended to cause panic or public fear

Threat, communicating

Weapon: concealed, carrying

Any offenses pursuant to section 13 of title 18, U.S.C. (Reference (h)), charged as a violation of Article 134.