

DEPARTMENT OF THE ARMY

Fort Knox, Kentucky 40121

(635-200a)

(Office Symbol)

(Date)

MEMORANDUM FOR _____

SUBJECT: Notification of Proposed Discharge

1. You are being considered for discharge from the US Army under the provisions of AR 635-200, paragraph 14-5, Section II (Conviction by Civil Court). I am recommending (Retention) (an Honorable Discharge) (a General Discharge) (an Other Than Honorable Discharge). If your discharge is approved, you may be separated Under Other Than Honorable Conditions. However, the final decision in your case rests with the discharge authority.

2. Presently, all discharge proceedings have been suspended to provide you the opportunity to exercise the following rights:

a. To consult by correspondence with a consulting counsel. His name and address:

_____. Your appointed counsel for consultation, however, cannot represent you before a board of officers unless he is also appointed as counsel for representation before a board of officers.

b. To request appointment of either a military counsel for representation; or representation by a military counsel of your own choice, provided proper authority determines the counsel requested is reasonably available, but not by both. In either case, you may retain civilian counsel at no expense to the Government to represent you and, in your absence, present your case before an administrative discharge board.

c. To submit statements in your own behalf.

d. To waive the foregoing rights, either in writing or by failing to reply to the letter of notification within 30 days from the date of receipt.

3. Request you indicate your desires by completing the attached letter in the presence of an official (i.e., counselor/confinement officer/administrative officer) of the institution where you are presently confined. You should reply as soon as possible. If your reply is not received within 30 days of receipt of notification, your discharge, if approved by the discharge authority, will be accomplished with the issuance of an appropriate certificate.

4. Enclosed is postage-free envelope for return of this document.

Encl

(SIGNATURE OF UNIT COMMANDER)

(TYPED NAME, RANK, AND BRANCH)

DATA REQUIRED BY THE PRIVACY ACT OF 1974 (5 USC 552a)

AUTHORITY: Section 301, Title 5 U.S.C., and Section 3012, Title 10 U.S.C.

PURPOSE: This statement indicates soldier's options as pertain to the rights available to him in contemplated administrative discharge cases.

ROUTINE USES: Information provided in the statement is used by processing activities and the approval authority to determine what rights soldier desires to exercise and the offering of such rights as indicated. Upon completion of processing actions, the statement is filed in the MPRJ. So long as filed in the MPRJ, this personal information may be used by other appropriate Federal agencies and State and local governmental authorities where use of the information is compatible with the purpose for which the information is collected.

DISCLOSURE: Voluntary. If information is not provided, the Army will complete processing using information available.

(Date)

SUBJECT: Separation UP Chapter 14, AR 635-200

1. I (do) (do not) intend to appeal the civil conviction; or adjudication as a youthful offender.
2. I (request) (waive) consideration of my case by a board of officers.
3. I (request) (waive) personal appearance before a board of officers.
4. I (request) (waive) as voting member an officer who is a minority group member, if such an officer is reasonably available.
5. Statement(s) in my own behalf (are) (are not) submitted herewith (as enclosure _____).
6. I (request) (waive) consulting counsel.
7. I (request) (waive) representation by _____ as military counsel and (civilian counsel at my own expense).
8. I understand that I may expect to encounter substantial prejudice in civilian life if a general discharge under honorable conditions is issued to me. I further understand that, as the result of issuance of a discharge under other than honorable conditions, I may be ineligible for many or all benefits as a veteran under both Federal and State laws and that I may expect to encounter substantial prejudice in civilian life. I understand that if I receive a discharge certificate/character of service which is less than honorable, I may make application to the Army Discharge Review Board or the Army Board for Correction of Military Records for upgrading; however, I realize that act of consideration by either board does not imply that my discharge will be upgraded.
9. I understand that I may, up until the date the separation authority orders, directs, or approves my separation, withdraw this waiver and request that a board of officers hear my case.
10. I further understand that I will be ineligible to apply for enlistment in the United States Army for a period of 2 years after discharge.
11. I have retained a copy of this statement.

(SIGNATURE OF RESPONDENT)

(TYPED OR PRINTED NAME, SSN, GRADE)

I have personally witnessed the above named individual indicate his desire in paragraph (s)
_____ this date.

(SIGNATURE OF WITNESS)

(TITLE)