



DEPARTMENT OF THE NAVY  
OFFICE OF THE JUDGE ADVOCATE GENERAL  
WASHINGTON NAVY YARD  
1322 PATTERSON AVENUE SE SUITE 3000  
WASHINGTON, D.C. 20350-1000

5819  
Ser 13/4CW0215.14  
24 Mar 14

From: Deputy Assistant Judge Advocate General (Administrative Law)  
To: ABH2 Michael J. Little, USN  
Subj: COMPLAINT OF WRONGS UNDER ARTICLE 1150, U.S. NAVY REGULATIONS, ICO ABH2 MICHAEL J. LITTLE, USN  
Ref: (a) JAGMAN, Chapter III  
(b) Article 1150, U.S. Navy Regulations  
(c) Your complaint of wrongs of 12 Jul 13  
(d) COMNAVRESFORCOM ltr 5800 Ser N00J/149 of 12 Dec 13

1. Per the authority delegated to me and in accordance with references (a) and (b), this letter is in response to your complaint of wrongs, reference (c), concerning CAPT Eric B. Anderson, USN, Commanding Officer, Navy Operation Support Center, St. Louis. In reference (c), you alleged that you were improperly and unfairly placed in a six-month probationary period by reason of alleged unsatisfactory participation in the Navy Reserves through the issuance of a NAVPERS 1070/613, dated 3 March 2013, but which you state you did not receive and sign until either 4 or 5 May 2013 during the drill weekend. This action was taken despite the Respondent having appointed an Administrative Board on 28 February 2013 for the purpose of processing you for separation, and the Board having rendered a finding on 3 March 2013, by a vote of 3-0, that the preponderance of the evidence did not support the basis of separation for unsatisfactory participation in the Navy Reserves.

2. In reference (d), the General Court-Martial Convening Authority (GCMCA), Commander, Navy Reserve Forces Command, informed you that he found merit in your complaint. Specifically, he found that, if the Respondent was going to place you in a probationary period per RESPERSMAN 1570-010, it should have been done prior to and in lieu of administrative separation processing. Therefore, he found it was improper for the Respondent to issue the NAVPERS 1070/613 and that your complaint warranted the relief requested.

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3. After careful review, I find that the GCMCA's actions were in substantial compliance with references (a) and (b), and were not an abuse of discretion. Additionally, the GCMCA granted the requested relief and no additional relief is warranted.

4. This is the final action on reference (c).



P. R. KOEBLER  
By direction

Copy to:  
COMNAVRESFORCOM  
COMNAVPERSCOM (PERS-313)  
Respondent