



UNITED STATES MARINE CORPS

BRIG COMPANY

SECURITY BATTALION

MARINE CORPS BASE

BOX 555051

CAMP PENDLETON, CALIFORNIA 92055-5051

IN REPLY REFER TO:

5800

S-1

(Date)

From: Commanding Officer, (Unit/Command)  
To: Initial Review Officer, Marine Corps Base, Camp Pendleton

Subj: PRETRIAL CONFINEMENT IN THE CASE OF PRIVATE JOHN I. DOE  
XXX XX 1234/MOS USMC

Ref: (a) MCM, 2008  
(b) BO 5821.1K

Encl: (1) Pretrial Confinement Advice  
(2) Confinement Order

1. (Name) was placed in pretrial confinement on (Date) for the offenses listed in paragraph 3 below. The decision to continue pretrial confinement was made on (Date). Subject individual was notified of the basis for the confinement as indicated by enclosure (1). Enclosure (2) is a copy of the order directing him into confinement.

2. Pretrial confinement in this case is deemed appropriate pursuant to the references and because of the following reasons:

a. I believe an offense triable by court-martial has been committed.

b. I believe that the accused committed the offenses.

c. I believe that confinement is necessary because it is foreseeable that:

(1) The accused will not appear at trial due to (reason) (or) (and).

(2) The accused will engage in serious criminal misconduct.

(3) Less severe forms of restraint are inadequate due to (reason).

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3. Subject individual has been charged with the following violations of the Uniformed Code of Military Justice:

a. Art. 91 SNM showed insubordinate conduct towards SNM by making threats of assault on or about 1752, 080213 by stating he would hit anyone that would get in his way of going UA.

b. Art. 92 SNM failed to obey a lawful order given by Battalion Commander by refusing to go to CCU as a result of NJP on or about 080212.

c. Art. 128 SNM assaulted SNM and caused bodily harm by head-butting him on the mouth three times on or about 1945, 080213.

4. I recommend pretrial confinement be continued in this case because (reason).

5. Subject individual also has the following disciplinary record:

NONJUDICIAL PUNISHMENT(S):

<u>DATE</u>	<u>OFFENSE</u>	<u>PUNISHMENT</u>

COURT-MARTIAL CONVICTION(S):

<u>DATE</u>	<u>OFFENSE</u>	<u>PUNISHMENT</u>

6. I have considered lesser forms of restraint and I am of the opinion that only confinement is appropriate in this case.

7. I expressly represent that the foregoing statements are true and correct to the best of my knowledge and belief.

**SIGNATURE**

**(MUST BE SIGNED BY THE COMMANDING OFFICER OR ACTING)  
IF ACTING, THEN A COPY OF THE ACTING LETTER MUST BE PROVIDED  
CANNOT BE BY DIRECTION**