

FACT SHEET BRIEF FOR CG FROM SJA

SUBJECT: Request for Deferment of Sentence to Confinement at Hard Labor
and for Excess Leave Status by PVI John H. Reeves

PURPOSE:

To obtain decision by the Army Commander on Private E-1 John H. Reeves' request that his sentence to confinement at hard labor be deferred and that he be placed on excess leave status pending completion of appellate review of his general court-martial.

DISCUSSION:

1. On 10 February 1971 Private Reeves was tried by general court-martial for AWOL during the period 27 February 1969 to 3 November 1970. His sentence of a Bad Conduct Discharge, total forfeitures, and confinement at hard labor for one year is being recommended for approval by the Army Commander, with confinement to be served in USDB, Fort Leavenworth, Kansas.
2. On 7 April 1971 Private Reeves, through his defense counsel, requested that his sentence to confinement be deferred and that he be placed on excess leave status (TAB B).
3. In his post-trial review, the Army Staff Judge Advocate recommended that the sentence be approved and that the accused's requests for deferment of confinement and to be placed on excess leave should be denied. This recommendation is based on the accused's military record, his lack of motivation to render honorable service, and his apparent failure to make any real effort to solve his problems, involving his mother and his two illegitimate children.

RECOMMENDATION:

That the Army Commander deny Private Reeves' request for deferment of his sentence to confinement and to be placed on excess leave status, by signature at TAB A.

WILSON FREEMAN
Colonel, JAGC
Army Staff Judge Advocate

AJAJA (7 Apr 71) 1st Ind

SUBJECT: Request for Deferral of Sentence to Confinement at Hard Labor
and for Excess Leave Status by PVI John H. Reeves

Headquarters, Third US Army, Fort McPherson, Georgia 30330

THRU: Captain Robert J. Muldarig, JAGC, Defense Counsel, Office of the Army
Staff Judge Advocate, Headquarters, Third United States Army, Fort
McPherson, Georgia 30330

TO: Private E-1 John H. Reeves, US Army Personnel Control Facility, US Army
Garrison, Fort McPherson, Georgia 30330

1. Your request, dated 7 April 1971, for deferment of the confinement portion of your sentence, and that you be placed on excess leave status pending completion of appellate review of your record of trial by general court-martial, has been carefully considered.
2. Based on all the evidence concerning the offense of which you were convicted, all matters presented in extenuation and mitigation, and your military record, your request is disapproved.

FOR THE COMMANDER:

JOHN L. MCINTYRE
CW3, USA
Admin Technician