DEPARTMENT OF THE NAVY
COMMANDING OFFICER
NAVAL AIR STATION
700 AVENGER AVENUE
LEMOORE, CALIFORNIA 93246-5001

IN REPLY REFER TO:
NASLEMINST 5500.9D
N05L
OCT 15 2001

NAS LEMOORE INSTRUCTION 5500.9D

From: Commanding Officer, Naval Air Station, Lemoore

Subj: ORDERS FORBIDDING OR LIMITING ENTRY TO NAVAL AIR STATION (NAS) LEMOORE

Ref: (a) U.S. Navy Regulations
(b) USC, Title 18, Section 1382

Encl: (1) Procedures for Issuing Barment Order
(2) Civilian Barment Sample Letter

1. Purpose. To limit entry to NAS Lemoore.

2. Cancellation. NASLEMINST 5500.9C.

3. Authority. The authority of the Commanding Officer to control access is commensurate with his absolute responsibility for the command. References (a) and (b) apply.

4. Delegation. In the absence of the Commanding Officer and when his return to NAS Lemoore is not imminent, the Executive Officer and the Command Duty Officer are delegated the authority to issue orders limiting access to the NAS Lemoore using the procedures in enclosure (1). Enclosure (2) is a sample letter to be used.

5. Action. The Commanding Officer, Executive Officer, or Command Duty Officer, when delegation is warranted, shall issue barment orders. All such orders shall be reviewed by the Commanding Officer to ensure compliance with references (a) and (b). The Staff Judge Advocate shall maintain a file containing all barment orders and accompanying materials.

OCT 15 2001

6. Reconsideration. Any recipient of a barment order may, within 30 days after receipt, request reconsideration by the Commanding Officer. The request must be submitted in writing to the Commanding Officer, Naval Air Station, Lemoore, California, and may contain any information the recipient feels is relevant. Upon reconsideration, the Commanding Officer shall notify the recipient of his decision in writing, with said notice mailed to the address in the barment order unless otherwise requested. Requests for reconsideration received after the 30-day period may be denied as untimely.

JOHN V. STIVERS

Distribution: (NASLEMINST 5215.2X)
Lists A & C

PROCEDURES FOR ISSUING BARMENT ORDER

1. Barment orders will be personally delivered and receipted for at the time of barment whenever possible. Barment orders that are mailed will be certified with return receipt requested. The request shall require receipt by the addressee only.

2. Barment orders will be prepared by the Staff Judge Advocate's Office during working hours and by the Executive Officer or the Command Duty Officer after working hours. A copy shall be immediately delivered to the Security Officer for enforcement. Another copy of the barment order, the original acknowledgment, and any supporting materials, including incident reports, etc., will be forwarded to the Staff Judge Advocate's office for administrative purposes. The Staff Judge Advocate shall forward the order with his/her advice to the Commanding Officer for final review. Upon final review, the barment order shall be returned to the Staff Judge Advocate for record maintenance and the Security Officer informed of any amendments.

5512
N05L
Date:

_____
_____
_____

:

Base Security has reported that on this date you were involved in an on-base incident requiring intervention by Base Security. Specifically, this incident involved the following alleged events: on Naval Air Station, Lemoore, CA.

Effective today, you are forbidden from entering the limits of NAS Lemoore, California for a period of **one year** from the date of this letter. If you are a military family member or a civilian, this letter shall serve as notice that this barment is authorized by Title 18, section 1382, of the United States Code, which also authorized the local courts to fine you up to $500 and imprison you for up to six months if you are found entering NAS Lemoore within the next year.

If you are a military family member or retiree and entitled to use the air station facilities, this Base Barment does not prohibit escorted access. A Security Detachment escort to the Naval Hospital, Navy Relief, Fleet and Family Service Center, and Chaplain's Office for confirmed appointments may be arranged by visiting the Security Office during working hours or by contacting the Command Duty Officer at (559) 998-3301 after working hours.

You have 30 days upon receipt of this letter to file an appeal to this order. The appeal must be in writing and addressed to the Commanding Officer, Code N05L, Naval Air Station, Lemoore, California 93246-5001. The appeal may contain any information which you feel is relevant in the Commanding Officer's review of this barment order.

5512
N05L

The results of the appeal will be forwarded to you at the above address unless another address is provided. You must understand, however, that the submission of an appeal does not stay the effective date of the barment and that you remain barred from NAS Lemoore until **one year** from the date of this letter, unless your appeal is granted in writing by the Commanding Officer.

This letter does not determine fault or allocate responsibility. It also does not preclude any possible criminal prosecution by the civilian authorities based on your involvement in this incident.

Command Duty Officer
By direction of the
Commanding Officer

Enclosure:
(1) Acknowledgment Receipt

Copy to:
Staff Judge Advocate
Pass and Decal

ACKNOWLEDGMENT RECEIPT

NAVAL AIR STATION LEMOORE BARMENT

I hereby acknowledge receipt of Commanding Officer, Naval Air Station Lemoore letter 5512, N05L dated _____.

_____
Date / (SIGNATURE)

_____ refuses to sign acknowledgment receipt.

WITNESS: _____
Date / (PRINT AND SIGN NAME)

WITNESS: _____
Date / (PRINT AND SIGN NAME)