



DEPARTMENT OF THE ARMY
ARMY NATIONAL GUARD MANEUVER TRAINING CENTER
BUILDING 1484 B AVENUE, FORT BARFOOT
BLACKSTONE, VIRGINIA 23824-0900

S: 7 April 2025

NGVA-MTC-CDR

21 February 2025

MEMORANDUM FOR SSG Daniel L. Abbott, DOD# 1462871950, ARNG Maneuver Training Center, Fort Barfoot

SUBJECT: Notification of Separation Proceedings Under AR 135-178, Chapter 11, Paragraph 11-1 b and c.

1. Under the provisions of AR 135-178, Chapter 11, paragraph 11-1 b and c, I am initiating action to separate you from the Virginia Army National Guard and Reserve of the Army for misconduct. I am basing this action in part upon the administrative investigation dated 3 September 2024. (Attachment A) The reasons for my proposed action are:

A. Violation of AR-600-20, paragraphs 4-2 and 4-12 on or about 27 January 2024, by making statements that advocated for the use of unlawful force to achieve political or ideological goals. This occurred during a speech entitled "Wake Up Winchester".

Your speech on this date advocated for the use of unlawful force to achieve political and ideological goals to resist or prevent state and federal authorities from executing the law by stating "[y]ou know, these local representatives and local sheriffs, they would have a lot stiffer spines if they knew that they had real backing. If the dynamic was not that the sheriff has to stand in front, 'don't come here, Richmond, I'm going to protect these people from you'. That's not way it's supposed to work; should be the other way around. What should be happening is I should be standing in front of the sheriff with 500 gunfighters. Incidentally that's about what my roster is for Campbell County, almost 500. I should be standing in front of the sheriff saying, 'if you think you're going to get our sheriff, you're going to have to come through the people.' That changes the way that works, entirely. And ultimately, it shouldn't just be me standing out there, it should be my board of supervisors and my county sheriff and my Commonwealth's Attorney all linked arm-in-arm providing a bulletproof bulwark that says, 'let's go government overreach. You won't come into our jurisdiction.' That's what's supposed to happen. Real power is supposed to be in the hands of local government." As well as other statements contained within this speech.

<https://www.youtube.com/watch?v=IUlbael9pFs> 7:23, 9:45, 1:01:30, 1:19:12 (A downloaded version is available as needed).

B. Orders violation under Article 92 of the UCMJ by violating AR-600-20, paragraphs 4-2 and 4-12 on or about 27 December 2022 by making statements that advocated for the use of unlawful force to achieve political or ideological goals. You were conducting a meeting of new Campbell County Militia members. On this day you advocated for the creation of multiple "unorganized militia" groups across the Commonwealth. You

opined that these groups would have enough members to combat the forces of the Virginia National Guard and the Virginia State Police. That group would then have a monopoly on force that could be used to combat laws that the militia group or locality decided were unconstitutional.

<https://www.youtube.com/watch?v=wa8REqBhlgo> 11:45 minute mark (A downloaded version is available as needed.)

C. Orders violation under Article 92 of the UCMJ, specifically violation of TAG Policy 70-25 prohibiting simultaneous membership in a Virginia unorganized militia group by a member of the Virginia National Guard. You were counselled in December 2024 that you were in violation of the above TAG policy. You have not reported to your chain of command that you have terminated your membership in the Campbell County Militia.

Other matters that have contributed to my decision to initiate this separation action are:

A. The available information indicates that you have two misdemeanor criminal convictions for driving without a license and one misdemeanor criminal conviction for reckless driving in Virginia. In addition, there are several other non-criminal traffic violations. The records indicate that several traffic violations have outstanding fines that have not been paid. There are also multiple instances where you have not appeared for the required court appearance. The latest information available is that you have still not obtained a valid Virginia driver's license. (Attachment B)

B. The available information indicates that you do not currently possess the security clearance required of all Soldiers. You have been in a "no determination" status since 15 November 2020. Information indicates that you have not provided necessary responses when required to provide the documentation to obtain your clearance. While there are other Virginia National Guard Soldiers in a "no determination" status, your failure to submit documents when required is concerning.

2. I am recommending that upon separation you receive a General (under honorable conditions) characterization of service. My recommendation and your reply will be submitted through intermediate commanders to the Adjutant General of Virginia, Major General James W. Ring, who will make the final decision in your case.

3. The intermediate commanders and the separation authority are not bound by my recommendation as to the characterization of service. The separation authority may direct that your service be characterized as honorable, general (under honorable conditions), under other than honorable conditions or you may receive an uncharacterized description of service if you are in an entry level status. However, the separation authority may not direct the issuance of a type of discharge or characterization of service less favorable than that recommended by the administrative separation board should you request a hearing before an administrative separation board.

4. If my recommendation is approved, the proposed separation could result in your discharge from the Virginia Army National Guard and as a Reserve of the Army, discharge from the Virginia Army National Guard and transfer to the Individual Ready Reserve, or release from custody and control of the Army.

5. I am suspending separation action for 45 days to give you an opportunity to exercise the following rights:

a. You have the right to consult with an appointed military attorney; or any military counsel of your choice, if he or she is reasonably available; or any civilian counsel at your own expense.

(1) **If you desire to speak with a military attorney for consultation, you may contact the Trial Defense Service's NCO at <https://forms.osi.apps.mil/r/hstWwfHKJT> or ng.ncr.ngb-arng.mbx.tds-fts@army.mil, or (571) 242-0733.** The Trial Defense NCO will arrange for a military attorney to contact you in regards to your consultation.

(2) If you desire a military counsel of your choice, provide this command with the officer's name and rank **before completing the response memorandum** and if the officer is reasonably available, he or she will be appointed counsel for consultation. **Warning:** If you choose your own counsel, you *accept the risk* of inaccurate or incomplete counsel based on the knowledge and experience of the officer you choose. This may result in a missed opportunity to avoid discharge or a less favorable characterization of service on your military record.

(3) If you retain civilian counsel at no expense to the government, recommend the counsel be retained **before completing the response memorandum**. Keep in mind that civilian counsel will also work within suspense dates issued by this headquarters.

b. You have the right to obtain copies of documents that will be sent to the separation authority supporting the basis of the proposed separation. (Classified documents may be summarized.)

c. You have the right to request a hearing before an administrative separation board. If you have **fewer than 6 years** of total active and/or reserve service on the date of this notification **and** the Adjutant General awards you a **General** (under honorable conditions) **discharge or higher, no separation board will be provided.**

d. If you request and are granted a hearing before an administrative board,

(1) You have the right to representation at the administrative board by an appointed military attorney. Military counsel of your choice is not authorized.

(2) You have the right to representation at the administrative board by civilian counsel at your own expense and at no expense to the Government.

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e. You have the right to present written statements on your behalf instead of requesting the administrative board proceedings.

f. Except as explained in paragraph 6 below, you have the right to waive the rights listed above in paragraphs a through e in writing and you may withdraw any such waiver at any time before the date of the separation authority orders, directs, or approves your separation.

6. If you have completed at least 18 but less than 20 total years of qualifying service for retirement pay, waiver of your right to an administrative board hearing (para 5c) and waiver of the right to representation by counsel at board hearings (para 5d) will not be accepted.

7. If you have over 20 qualifying years for retired pay and are being separated for unsatisfactory participation, you have the option of transferring to the Retired Reserve rather than process through an administrative separation board.

8. Except as explained in paragraph 6 above, you may submit a conditional waiver of your right to an administrative board proceeding contingent upon receiving a characterization of service higher than the least favorable characterization of service authorized for the basis of your proposed separation.

9. You must complete the response memorandum acknowledging receipt of this memorandum and indicating the election of your rights. *A copy of this memorandum with the completed response memorandum attached, must be delivered to the address shown on the endorsement within **30 days** from the date of your receipt of this memorandum of notification.* Any statement or documents you desire to submit on your behalf must also be received by me within 30 calendar days after you receive this memorandum, unless you request and receive an extension for good cause shown. Unless an extension is granted, failure to deliver the completed endorsement within 30 days of the date of your receipt of this memorandum **will constitute a waiver** of your rights in paragraphs 5a through 5f above.

Encls:
Response Memorandum

ERIC L. QUINN
LTC, LG, VaARNG
Commanding

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Verification of Receipt:

Date of Receipt: _____

Soldier's Name: _____

Soldier's Signature: _____