Press Release: *Nell v. Wormuth et al.*

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*The Law Offices of David P. Sheldon File Federal Complaint on Behalf of Wrongfully Accused Army Reserve Colonel*

On December 10, 2021, the Law Offices of David P. Sheldon filed a federal complaint opening the matter of *Nell v. Wormuth, et al*. in the District Court for the District of Columbia. Army Reserve Colonel Karl Nell was falsely accused of whistleblower retaliation by a vindictive subordinate, who was seeking to avoid consequences for their failure to perform their duties and their attempts to sabotage Col. Nell’s reform efforts for a badly underperforming unit. These false accusations were found substantiated by the Department of the Army Investigator General, despite two different investigating officers expressing deep concerns about the accuser’s truthfulness. Despite Col. Nell demonstrating the factual errors in the investigation report no less than seven times to both the Army Board for the Correction of Military Records and the Department of the Army I.G., these findings were repeatedly upheld. In its last decision, the ABCMR went so far as to hold that nonbinding commentary overrode its statutory authority to set aside IG findings.

Having been repeatedly stonewalled by the Department of Defense institutions tasked with correcting errors or injustice, Col. Nell came to the firm in April of 2021 to clear his good name of these wrongful findings. Now, the path to relief for him has begun with the filing of the federal complaint. The firm will be moving for partial summary judgment shortly, in order to set aside the ABCMR’s completely unsupported final decision, which was in blatant violation of its own foundational statute.