



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

SJN  
Docket No: 01796-11  
9 November 2011

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting a change in his general characterization of service, which was issued on 7 April 1989.

2. The Board, consisting of Ms. Barro, Mr. Spain, and Mr. Blanchard, reviewed Petitioner's allegations of error and injustice on 8 November 2011 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began a period of active duty on 18 November 1986. On 5 August 1987 and 18 November 1988, he was counseled regarding his failure to conform to weight standards. He was warned that further unsatisfactory performance could result in administrative discharge action. On 22 November 1988, he was assigned to a physical training platoon. Subsequently, administrative

discharge action was initiated to separate him by reason of unsatisfactory performance due to his failure to conform to weight standards. Petitioner served over two years without any disciplinary infractions. Although the record reflects that he failed to conform to weight standards, he was advanced to lance corporal and his evaluations reflect generally excellent performance. On 27 March 1989, his commanding officer forwarded his case to the separation authority recommending that he be honorably discharged by reason of unsatisfactory performance. However, on 30 March 1989, the separation authority directed that he receive a general discharge due to unsatisfactory performance. On 7 April 1989, Petitioner received a general discharge.

d. Characterization of service is based in part on conduct and proficiency averages computed from marks assigned on a periodic basis. His conduct average was 4.4. At the time of his service, a conduct average of 4.0 was required for a fully honorable characterization of service.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action based on Petitioner's overall record of military service to include no disciplinary infractions and above average trait averages. The Board therefore concludes that the interest of justice would be better served by changing his characterization of service to honorable.

#### RECOMMENDATION:

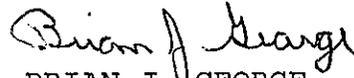
a. That Petitioner's naval record be corrected to show that on 7 April 1989, Petitioner was issued an honorable discharge vice the general discharge, now of record. This should include the issuance of a new Certificate of Release or Discharge from Active Duty form (DD Form 214).

b. That a copy of this report of proceedings be filed in Petitioner's naval record.

c. That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 17 February 2011

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
BRIAN J. GEORGE  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

  
W. DEAN PFEIFFER  
Executive Director