



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

SJN  
Docket No: 3175-14  
12 June 2014

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

Subj: REVIEW OF NAVAL OF RECORD [REDACTED]  
[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 an upgrade of his general characterization of service, and that he receive half separation pay as a result of his discharge for alcohol rehabilitation failure on 9 November 2012.

2. The Board, consisting of Mr. Ivins, Ms. Tollefson, and Mr. Sproul, reviewed Petitioner's allegations of error and injustice on 11 June 2014 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. Petitioner enlisted in the Marine Corps and began a period of active duty on 14 September 2004. He served in an outstanding manner for over eight years, until 9 November 2012, when he was discharged under honorable conditions due to alcohol rehabilitation failure. At that time, he was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) that reflects two Good Conduct Medal's and service in Afghanistan.

c. Petitioner's characterization of service was based on his fitness reports. They reflect that he was an above average Marine and appeared to be sufficient for an honorable characterization of service based on his overall record of service, to include no disciplinary action.

d. In his application, Petitioner states that he should be able to receive half separation pay as a result of his involuntary separation from the Marine Corp. On 15 October 2013, a letter from Headquarters Marine Corps addressed to Congressman Darrell E. Issa, states, in part, that a review of his records determined that he is eligible to receive half involuntary separation pay, and that he should submit an appeal to this Board.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action.

Although Petitioner was properly discharged from active duty due to alcohol rehabilitation failure, the Board concludes that, in view of his overall record of military service, as shown by his above average fitness reports, the record should reflect that he received an honorable discharge and that he be awarded half involuntary separation pay. In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he received an honorable vice general discharge on 9 November 2012. This should include the issuance of a new DD Form 214.

b. That he receive half involuntary separation pay as a result of his discharge on 9 November 2012.

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

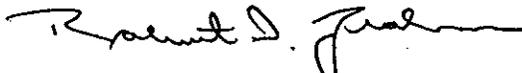
d. That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 8 January 2014.

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.

  
ROBERT D. ZSALMAN  
Acting Executive Director