



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

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Docket No: 1714-21
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 16 April 2021. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Naval Reserve and began a period of active duty on 5 August 1966. On 16 March 1968, you were assigned a 2.8 mark in military behavior due to being lax. On 10 June 1968, you were recommended for reenlistment, at which point, you declined the opportunity. On 26 June 1968, you were discharged with a general (GEN) characterization of service by reason of release from active duty. On 3 November 1970, you were transferred to stand by reserve-inactive with effective date 10 December 1969 by reason of completion of military obligation. On 9 December 1970, you received a record of discharge from the Naval Reserve indicating an erroneous and unauthorized correction your discharge characterization to your DD Form 214. On 14 May 1973, you received a record of discharge from the Naval Reserve reflecting an honorable (HON) discharge. On 14 May 1973, you received a record of discharge from the Naval Reserve from your commanding officer (CO) with an HON discharge characterization of service. On 15 May 1973, you reenlisted in the Naval Reserve for a period of one-year. On 6 Jul 1976, you received a statement of service reflecting your periods of service. On 14 February 1978, you

received a statement of years of qualifying service. On 14 May 1981, you received a record of discharge from the Naval Reserve reflecting and HON character of service.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your contention that your discharge characterization of service on your DD Form 214 is incorrect. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your 2.8 mark on military behavior, outweighed these mitigating factors. The Board noted you did not submit any documentation or advocacy letters to be considered. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon the submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

5/6/2021

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Executive Director

Signed by: █