





occasions, disobeying a lawful order on two occasions, breaking restriction, unlawful entry, absence from your appointed place of duty on five occasions, failing to observe reveille, disobeying a lawful order on two occasions, missing ship's movement on two occasions, unauthorized absence on two occasions, nine specifications of unauthorized absence from restricted men's muster, and being in your rack wearing your dungarees.

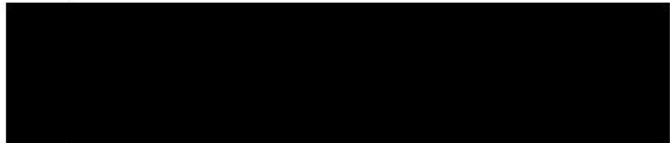
On 23 July 1979, you were notified that you were being recommended for administrative discharge from the Navy. You were advised of, and elected, your procedural right, to consult with military counsel. After consulting with military counsel, you waived your right to present your case to an administrative discharge board. Your commanding officer (CO) then forwarded your administrative separation package to the separation authority (SA) recommending administrative discharge from the Navy with an other than honorable (OTH) characterization of service. The SA approved the CO's recommendation and directed your OTH discharge from the Navy by reason of misconduct. On 17 October 1979, you were so discharged.

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 desire to upgrade your discharge character of service. The Board also considered your contentions that: 1) you struggled with alcohol; 2) you were not able to get yourself sober and struggled with military life; 3) you were not given any treatment that you can remember; and 4) you missed ship's movement due to your alcohol issues. You further state that this is a chapter in your life that you have struggled with for a long time; you have been sober now for a long time, and you need medical care from the Department of Veterans Affairs. The Board noted you did not submit any documentation or advocacy letters in support of your application to be considered for clemency consideration. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by ten NJPs, outweighed these mitigating factors. 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 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,

10/7/2021



Executive Director

