



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

██████████
Docket No: 5896-21
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. 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.

A three-member panel of the Board, sitting in executive session, considered your application on 19 January 2022. 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 this 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, and 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 and entered a period of active duty in the Marine Corps on 11 April 1995. On 20 February 1998 you were convicted by special court martial (SPCM) of 8 specifications of failure to go to your appointed place of duty; wrongful use of marijuana; violation of a lawful general order by wrongfully driving while base driving privileges were suspended; and breaking restriction in violation of Articles 86, 112a, 92, and 134, Uniform Code of Military Justice (UCMJ). You were sentenced to 90 days of confinement, forfeitures, reduction to the pay grade of E-1, and discharge from the service with a bad conduct discharge (BCD). You were so discharged on 30 September 1999.

You contend: (a) you were diagnosed with Plantar Fasciitis during your time in the military; (b) you suffered from collapsed arches shortly after the helicopter crash on ██████████ at ██████████ ██████████ that killed 14 Marines (although you do not contend, nor is there anything in your record reflecting that you were actually involved in the crash); (c) a Naval doctor recommended you discontinue daily physical activities but your commanding officers ordered you to continue; (d) you refused orders and abused drugs and alcohol due to the continued pain, and were arrested for DUI on base; and (e) you were self-medicating to help mask the physical and mental pain.

