



directed that you be discharged with an other than honorable characterization of service, and on 15 November 2002, you were so discharged.

In 2004, you filed an application with the Naval Discharge Review Board (NDRB), in which you sought an upgrade to an honorable characterization of service. You contended, in part, that you sought leave to attend your grandmother's funeral, and it was denied, that the Marine Corps broke several promises to you. On 24 June 2004, the NDRB denied your request, finding that there was no error in the assignment of your discharge characterization.

The Board carefully considered all potentially mitigating factors in your petition to determine whether the interests of justice warrant relief in your case including in accordance with the Wilkie Memo. You contend in your petition that you initially commenced a period of unauthorized absence to attend your grandmother's funeral, and that, thereafter, you seemed to always be in trouble. You also provided several commendatory and supportive letters of reference and recommendation. The Board carefully reviewed your contentions including all of the letters of support that you provided, and concluded that the potentially mitigating factors that you raised were insufficient to warrant relief. The Board commended you with respect to the information provided in the letters of support. Nevertheless, the Board could find no error or injustice in your discharge characterization in light of your repeated misconduct while on active duty as evidenced by your receipt of nonjudicial punishment twice, and conviction by two summary courts-martial despite having received a written warning concerning the consequences of further misconduct. Accordingly, 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,

1/13/2022

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Executive Director  
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