



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

■  
Docket No: 7695-21

Ref: Signature Date



Dear Petitioner:

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 the entire record, the Board for Correction of Naval Records (Board) found the evidence submitted was 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 22 December 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, 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 in the Marine Corps and began a period of active duty on 3 November 2001. On 13 June 2002, your command was informed that you tested positive for using methamphetamine. On 4 November 2002, you entered into a pretrial agreement with the convening authority, wherein you agreed to plead guilty to wrongful use of a controlled substance and waive your right to administrative discharge board, and in return, the convening authority agreed to refer your charge to a summary court-martial. Pursuant to the terms of that agreement, you were convicted by a summary court-martial on 25 November 2002. On 6 January 2003, you submitted correspondence seeking to have your discharge suspended in return for you submitting to regular drug testing. Your request was denied, and you were discharged on 12 December 2003, with an other than honorable characterization of service.

