

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 contentions noted above. The Board considered your allegations but concluded the lack of evidence precluded finding any error or injustice with your discharge. In making the finding, the Board noted that it is not an investigating agency nor does it have the resources to investigate unsubstantiated allegations. Additionally, the Board noted you did not submit advocacy letters or post-service documents to be considered for clemency purposes. Based upon this review, the Board concluded your allegations of error in your record were insufficient to warrant relief. Specifically, the Board determined that your positive urinalysis for THC and UAs supported the basis for your separation and OTH characterization of service. In weighing your record of service against your misconduct, the Board concluded that your conduct was a serious departure from that expected of a Marine. 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,

2/8/2022

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Executive Director

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