

discharge characterization of service by reason of misconduct due to drug abuse. On 22 October 1992, you were notified of the initiation of administrative separation proceedings by reason of misconduct due to drug abuse, at which point, you elected to waive all your procedural rights. On 1 November 1992, your administrative separation proceedings were determined to be sufficient in law and fact. On 11 January 1993, the discharge authority approved an ordered an OTH discharge characterization of service by reason of misconduct due to drug abuse. On 27 January 1993, you were 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 contention that you were injured while on active duty and require a discharge upgrade to seek medical services from the Department of Veterans Affairs. Unfortunately, based upon the Board's review, they concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your repeated misconduct, as evidenced by your NJP and SPCM, outweighed these mitigating factors due to the seriousness of your offenses. The Board concluded your actions were intentional and showed repeated disregard for military authority and regulations. In making their finding, the Board also noted you did not submit any documentation or advocacy letters to be considered. 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,

2/13/2022

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Executive Director
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