



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 desire to upgrade your discharge, and your contentions that you were told your discharge would be upgraded to honorable automatically after six months, you received a letter of accommodation, and you completed all missions set forth by the Navy.

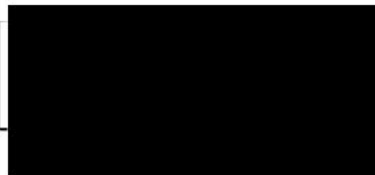
The Board noted that there is no provision in law or regulations that allows for re-characterization of a discharge automatically after six months, due solely to the passage of time. The Board also noted that a Sailor's service is characterized at the time of discharge based on performance during the current enlistment.

Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your seven NJPs and civil conviction, outweighed these mitigating factors. As a result, when weighing the frequency and seriousness of your misconduct against your active duty service, the Board concluded that the preponderance of the evidence supports a finding that your conduct was a significant departure from that expected from a Sailor and merits a general under honorable conditions characterization of service. 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 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,

2/24/2022

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director

A black rectangular redaction box covering the contact information of the Executive Director.