



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

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Docket No: 1076-22

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 relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted 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 28 February 2022. 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, 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 15 January 1975. From a period beginning on 23 April 1975 to 5 May 1975, you received three recruit evaluations from your senior drill instructors with the following remarks: recruit lacks self-discipline and motivation, shows no improvement, recruit is immature, apathetic towards training, and refusing to adjust to the demands of recruit discipline training. On 6 May 1975, you were notified of the initiation of administrative separation proceedings by reason of unsuitability due to defective attitude. On 12 May 1975, an Aptitude Board determined that your qualifications do not warrant your retention in the Marine Corps. Therefore, the Board recommended a general discharge characterization of service by reason of unsuitable for service. On 15 May 1975, you were discharged with a general discharge characterization of service reason of unsuitability for service. On 7 December 1977, you initiated a congressional inquiry requesting a reentry code change for future enlistment. On 23 January 1978, the USMC Personnel Procurement Division (MRRE-2) determined that your reentry code was appropriated and that no change was required. On

18 January 1980, this Board forwarded your request for review of your reenlistment code to the Commandant of the Marine Corps, Career Planning Branch (MMRB) for further review. On 15 April 1980, MMRB informed you that your reentry code was correctly assigned and accurately and that no change was warranted.

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 that you were forced to accept a discharge that you did not agree to and received threats from other drill instructors after testifying against a drill instructor who was caught beating a recruit. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that evidence of your unsuitability, as documented in your recruit training record, outweighed these mitigating factors. The Board noted that you were afforded the required due process in your administrative separation including an Aptitude Board. Further, the Board considered the fact you did not submit any documentation or advocacy letters with your application. 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,

3/21/2022

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Executive Director

Signed by: █