



**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: 1250-22  
2633-19  
Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. 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.

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. A three-member panel of the Board, sitting in executive session, considered your application on 9 March 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, 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).

In reviewing your application, the Board considered the totality of the circumstances to determine whether relief is appropriate today in the interests of justice in accordance with guidance provided by the Wilkie Memo. Accordingly, the Board carefully considered all potentially mitigating factors, such as your submission of supporting documentation and your desire to change reenlistment code, separation code and narrative reason for separation. The Board also considered your statement to include your contentions: 1) there were inequities in your separation that were acknowledged by the Naval Discharge Review Board (NDRB) whom upgraded your discharge character of service; 2) concerning your medical condition, you were unable to provide any further documentation of your medical condition because your healthcare providers could not determine what condition was affecting you in such a manner that you were going to be removed from "TNPQ" because there were not any findings other than bladder spasms that were graphically measured but not linked to a disease; 3) you are not looking for

benefits, you want to regain part of your identity and hopefully open doors for better employment; and 4) the goal of your current application is to elevate your reentry code to either RE-3P for “representing physical incapability to avoid mental health stigma,” or to RE-3G which would “announce to future employers with government contracting he has a mental health condition.”

The Board commends you for your post service accomplishments; however, based upon this review, the Board concluded your potentially mitigating factors were insufficient to warrant relief given your unsatisfactory participation in the Marine Corps Reserves as evidenced by your 14 unexcused absences. After careful consideration and applying liberal consideration, the Board did not find an error or injustice that warrants granting relief. Specifically, the Board concluded that your RE code, separation code, and narrative reason for separation remain appropriate in light of your failure to communicate with your command during your periods of unauthorized absences. The Board determined that sufficient relief was granted by the NDRB in upgrading your characterization of service and no further relief is required based on the mitigation evidence you provided. 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,

3/24/2022

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