



On 25 June 1970, you submitted a request for discharge for the good of the service. The request was approved and you were discharged, on 22 July 1970, with an Other Than Honorable (OTH) characterization of service.

On 1 November 1975, the President granted you a full, unconditional pardon for your absence offenses, and a clemency discharge to replace your OTH characterization of service. On 26 July 1976, you were issued a DD Form 215 in recognition of satisfactory completion of alternate service pursuant to Presidential Proclamation Number 4313.

Subsequently, you unsuccessfully applied for a discharge upgrade to this Board on multiple occasions but were denied in 1992 and 1993. However, on 9 April 2020, this Board reconsidered your request based on your request and granted your request to upgrade your characterization of service, narrative reason for separation, and corresponding separation codes. On 8 July 2020, you were issued a new DD Form 214 indicating your characterization of service as General (Under Honorable Conditions), narrative reason for separation as Secretarial Authority, separation authority as MARCORSEPMAN par 6421, and separation code as JFF1.

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. You contend that your current application is not a reconsideration but a new application based on the mental health conditions you were diagnosed with in-service, and clemency based on current policy memoranda. You state you were an excellent Marine with 4.8/4.7 traits until your friends were killed in Vietnam. You state your parents thought you had died which caused their health to deteriorate. You contend your Commanding Officer approved a humanitarian transfer request which was ultimately denied by Headquarters Marine Corps and, consequently, you entered a UA status to be with your parents until you voluntarily returned to base. You state that while in a UA status, you received mental health treatment from a civilian psychiatrist and provided a letter to your command which the command lost. You state you were diagnosed with a moderate degree of psychiatric impairment; and the civilian psychiatrist noted you experienced mental harassment and suffered from occasional fainting and frightening dreams. You further state you completed 18 months of alternative service, your period of UA was pardoned by President Ford, and your current application should be reviewed de novo. You also state that since your discharge in 1970, a number of laws and regulations have been implemented which represent substantial enhancements to service member protections. For purposes of clemency consideration, the Board noted you provided supporting documentation describing post-service accomplishments and advocacy letters.

As part of their review, the Board considered the AO based on your claim of a mental health condition. The AO states in pertinent part:

Among the available documents, the Petitioner was diagnosed with a personality disorder during military service, which indicates characterological traits that are unsuitable for military service. Unfortunately, the Petitioner has provided no post-service medical evidence to support his claims. There is no medical evidence that his misconduct was not related to his unsuitability for military service. Additional records (e.g., post-service records describing the Petitioner's

