

counseled for failure to recognized authority and having no regards for regulations and policies. You were advised that failure to take corrective action could result in administrative separation. On 27 May 1983, you were counseled for substandard performance, and unacceptable conduct. You were advised that failure to take corrective action could result in administrative separation. On 18 July 1983, you began a second period of UA which lasted approximately 232 days. On 21 March 1984, you requested a discharge from service in lieu of trial by court martial. On 3 April 1984, your administrative separation proceedings were determined to be sufficient in law and fact. On 18 April 1984, the discharge authority approved your request for discharge from service in lieu of trial by court martial . On 19 April 1984, you were administrative separated from service with an other than honorable (OTH) discharge characterization of service in lieu of trial by court martial.

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 received an erroneous discharge characterization of service based on your assertion that your chain of command verbally told you that you would be separated with a General (under honorable conditions) characterization of service. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board found no evidence to support your assertions regarding your chain of command. Additionally, the Board determined that your repeated misconduct, as evidenced by your NJP, SCMs and long-term UA, outweighed these mitigating factors. In making this finding, the Board concluded that your conduct showed a complete disregard for military authority and regulations. Further, the Board noted you did not submit any documentation or advocacy letters to be considered. As a result, the Board found that your conduct was a significant departure from that expected from a Marine and continues to warrant the OTH characterization of service. Finally, the Board considered that you already received a large measure of mitigation when the Marine Corps accepted your request to be separated in lieu of trial by court-martial, thereby sparing you from a likely punitive discharge. 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,

4/12/2022

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Executive Director
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