



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: 1652-22
Ref: Signature Date

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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.

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 16 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).

You completed an honorable period of active service in the Navy from 1 August 1980 to 30 July 1984. During your first enlistment, you received non-judicial punishment on four occasions and were counseled on two occasions regarding your misconduct. Additionally, you completed a four-week seminar on drug and alcohol awareness after being identified as being involved in illegal use of drugs. You reenlisted on 31 July 1984. On 23 December 1986, you received NJP for wrongful use of marijuana, and wrongful possession of cocaine and marijuana. On 14 June 1987, you were discharged with an other than honorable (OTH) character of service by reason of misconduct due to drug abuse.

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 character of service. You contend you received an OTH because you were with someone who committed a criminal act, that you were told your discharge would be upgraded automatically after a certain period, and that you believe your second enlistment should be upgraded because you did not do anything wrong. The

