

hard labor, and forfeiture of pay. On 20 June 1977, you were charged by civil authorities with probation violation. You were advised that further involvement with civil authorities could result in administrative separation. On 2 August 1977, you were notified of the initiation of administrative separation proceedings by reason of misconduct due to frequent involvement, at which point, you elected to waive all your procedural rights. On 15 August 1977, your commanding officer recommended an other than honorable (OTH) discharge characterization of service by reason of misconduct due to frequent involvement. On 17 August 1977, you began a sixth period of UA which lasted 28 days, 1 hour, and 29 minutes. On 16 September 1977, your administrative separation proceedings were determined to be sufficient in law and fact. On 22 September 1977, the discharge authority approved and ordered an OTH discharge characterization of service by reason of misconduct due to frequent involvement. On 28 September 1977, you received a second NJP for a period of UA. On 30 September 1977, you were discharged.

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 elected to get married without ever being in a previous adult relationship that your chain of command did not provide any assistance to you with your marriage issues, that you were a victim of bad counseling, and that your chain of command left you deal with your issues while you were immature and driven by your emotions. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your repeated misconduct, as evidenced by your NJPs, SCMs, and SPCM, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of your misconduct and determined that it showed a completed disregard for military authority and regulations. As a result, the Board found that your conduct was a significant departure from that expected of a Marine and continues to warrant an OTH characterization of service. The Board noted you did submit four character letters of support and considered this evidence as part of its deliberations. 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,

4/26/2022

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