



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: 2226-22

Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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 25 April 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, 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 enlisted in the Marine Corps and began a period of active duty on 13 May 1985. On 16 July 1985, a medical officer diagnosed you with Enuresis. As a result, on 18 July 1985, you were notified of the initiation of administrative separation proceedings by reason of convenience of the government due to a physical condition not a disability, at which point, you elected to waive all your procedural rights. As a result of the foregoing, your commanding officer recommended and entry level separation (ELS) by reason of convenience of the government due to a physical condition not a disability. Subsequently, the separation authority approved and ordered an ELS characterization of service by reason of convenience of the government due to a condition not a disability. On the same date, you were discharged. On 7 February 2022, this Board responded to your request for a discharge characterization upgrade by granting partial relief in the form of changing your narrative reason of separation on your Certificate of Release or Discharge from Active Duty (DD Form 214) to Secretarial Authority. However, your uncharacterized entry-level

separation was determined to be supported by the fact you were discharged within the first 180 days of active duty service and remained unchanged by the Board.

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 contentions that a medical officer should have known that you were suffering from Sickle Cell disease while participating in boot camp, that you were ordered to drink water with high amounts of sodium as a result of extreme hot temperatures and high physical training demand, and that you were diagnosed with Enuresis instead of Sickle Cell Disease. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that you did not submitted any documentation that you were erroneously diagnosed with Enuresis instead of Sickle Cell Disease or evidence that responds to the original Board's rationale for denying your request for an Honorable characterization of service. The Board noted you did submit website information from the Saint Louis Children Hospital and the Center of Disease Control and Prevention (CDC) regarding Sickle Cell disease but no medical evidence of a misdiagnosis in 1985. As a result, the Board again found no error or injustice with the Marine Corps' decision to assign you an uncharacterized entry-level separation based on your 66 days of active duty service. As explained by the Board in their previous decision letter, applicable regulations authorize an uncharacterized entry-level separation if the processing of an individual's separation begins within 180 days of the individual's entry on active service. 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,

5/12/2022

