



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

██████████
Docket No: 3643-22
Ref: Signature Date

████████████████████
████████████████
████████████████

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 you did not file your application in a timely manner, the statute of limitations was waived in the interests of justice. A three-member panel of the Board, sitting in executive session, considered your application on 3 June 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 this 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 enlisted and entered a period of active duty in the Marine Corps on 6 November 1995. You served without incident until 10 December 2001, when you were formally counseled concerning financial responsibility because you were 30 days past due on payment of your government credit card. On 5 December 2002, you were convicted by special court martial (SPCM) of stealing an all-terrain vehicle from a Corporal and for making a false official statement to a special agent in the Naval Criminal Investigative Service regarding the vehicle in violation of Articles 121 and 107, Uniform Code of Military Justice. You were sentenced to confinement for 30 days, reduction in rank to the pay grade E-1, and to be discharged with a bad conduct discharge (BCD). You were placed on voluntary appellate leave on 14 February 2003 and discharged, on 11 May 2004, with a BCD.

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 discharge and contentions that your discharge is hindering you from better job opportunities, that you have applied to numerous employment agencies but your

