



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: 3969-22
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 22 July 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 enlisted in the Navy, and you were counseled regarding the Navy's drug abuse policy on 1 July 1980. Your enlistment agreement includes an assignment to BT Class "A" school. On 11 September 1980, you began active service. On 27 January 1983, you were convicted at a special court martial (SPCM) for desertion, unauthorized absence (UA), missing ships movement, and breaking restriction. On 21 April 1983 and 2 June 1983, you received non-judicial punishment (NJP) for four instances of wrongful use of marijuana. On 27 July 1983, you were notified of the initiation of administrative separation proceedings by reason of misconduct due to drug abuse, at which point, you waived your procedural rights. On 7 August 1983, the separation authority approved and directed your separation from naval service by reason of misconduct due to drug abuse with an Other Than Honorable (OTH) conditions characterization. On 26 August 1983, you were so 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

