

4 October 1996, you were administratively reduced to the rank of E-2 due to unsatisfactory participation in the USMCR. Subsequently, from 2 March 1997 to 1 May 1997, you missed an additional 10 drills. As a result, on 3 May 1997, you were notified of the initiation of administrative separation proceedings by reason of unsatisfactory participation in the USMCR, at which point, you elected to waive all your procedural rights. On 24 May 1997, your CO recommended an Other Than Honorable (OTH) discharge characterization of service by reason of unsatisfactory participation in the USMCR. On 16 March 1998, the discharge authority approved and ordered an OTH discharge characterization of service by reason of unsatisfactory participation in the USMCR. On 16 April 1998, 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 your service was Honorable, you completed all required training with no disciplinary issues, and your experience in the military was filled with mistakes, misinformation, financial problems, issues with your MOS, and other complications. For purposes of clemency consideration, the Board noted you did not provide supporting documentation describing post-service accomplishments, or advocacy letters.

Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your absences from drills, outweighed these mitigating factors. In making this finding, the Board took into consideration the seriousness of your misconduct and that you were warned about your continuing unexcused absences and provided an opportunity to correct your conduct. As a result, the Board concluded your conduct constituted a significant departure from that expected of a Marine and continues to warrant an OTH characterization. After applying liberal consideration, the Board did not find evidence of an error or injustice that warrants upgrading your characterization of service or granting clemency in the form of an upgraded characterization of 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,

8/8/2022

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Executive Director
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