



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

█  
Docket No: 4531-22  
Ref: Signature Date

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█  
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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 1 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 completed a United States Alcohol and drug abuse screening certificate (NAVCRUIT 1133/65), in which you acknowledge you would receive another drug test upon your entrance into active service, and a positive test result would result in administrative separation. You further from the date of the forms certification on 5 April 1999. Subsequently, you began a period of active service on 5 April 1999 and acknowledge that you had not used illegal drugs. On 6 April 1999, your urine was collected for a drug screen, and was later returned positive for marijuana use. As a result, on 13 April 1999, you were notified of the initiation of administrative separation proceedings by reason of erroneous enlistment. On the same day, you waived your right to consult with counsel. On 19 April 1999, you were discharged with an entry level separation (ELS) by reason of erroneous entry due to drug abuse.

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

