



probation period. On 30 August 1966, you accepted the discharge probation terms. On 15 October 1966, you began an eight period of UA which lasted 11 days, 15 hours, and 20 minutes. On the same date, you again missed ship's movement. As a result, on 27 October 1966, your discharge suspension was vacated. On 10 November 1966, you were discharged with an undesirable characterization.

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 for a discharge upgrade and contentions that you were young, immature, and away from home for the first time. For purposes of clemency consideration, the Board noted you provided an advocacy letter but no supporting documentation describing post-service accomplishments.

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 NJPs and SCM, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of your misconduct and the likely negative impact it had on the good order and discipline of your command. While the Board understands that you may have been young and immature, they ultimately concluded the repetitive nature of your misconduct was too serious to mitigate. Further, the Board noted that you already received a large measure of clemency from the Navy when they suspended your undesirable discharge for 12 months; only to have you commit further misconduct. Finally, the Board also noted that there is no provision of federal law or in Navy/Marine Corps regulations that allows for a discharge to be automatically upgraded after a specified number of months or years. As a result, the Board concluded your conduct constituted a significant departure from that expected of a Sailor and continues to warrant an undesirable characterization. While the Board considered the letter from your spouse, 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,

10/4/2022

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Executive Director

Signed by █