



commanding officer recommended a General (Under Honorable Conditions) discharge characterization of service by reason of unsuitability. On 16 October 1958, the separation authority approved and ordered a General (Under Honorable Conditions) discharge characterization by reason of unsuitability. On 1 December 1958, he was 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 desire for an upgrade of your father's characterization of service and contentions that his post service conduct and accomplishments were outstanding, he was undisciplined at the time of his service due to his young age and upbringing, and he successfully raised a family after his discharge. 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 father's misconduct, as evidenced by his NJPs and SPCM, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of your father's misconduct and the likely negative impact it had on the good order and discipline of his unit. As a result, the Board concluded significant negative aspects of your father's conduct outweighed the positive aspects and continues to warrant an (General Under Honorable Conditions) characterization. The Board considered your assertions regarding post-discharge character and accomplishments but concluded that the favorable matters you contend were also insufficient to outweigh the severity and nature of your father's misconduct. Ultimately, the Board determined your father already received a large measure of clemency from the Navy when they assigned him a General (Under Honorable Conditions) characterization of service despite a record of misconduct that normally would receive a lesser characterization of service. It was the Board's opinion that his chain of command, more likely than not, took into consideration his age, prior history, and personality disorder when assigning him his characterization of service. Therefore, after applying liberal consideration, the Board did not find evidence of an error or injustice that warrants upgrading your father's 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,

10/18/2022

