



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

██████████  
Docket No. 1443-23

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████  
XXX XX ██████████ USMC

Ref: (a) Title 10 U.S.C. §1552  
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments  
(2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting his record be corrected to upgrade his character of service to general. Enclosures (1) and (2) apply.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 13 March 2023 and pursuant to its regulations, determined the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of his naval service records, and applicable statutes, regulations, 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).

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

b. Petitioner enlisted in the Marine Corps and began active service on 24 February 1997. Subsequently, he was found medically fit to begin basic training on 26 February 1997.

c. On 7 March 1997, Petitioner underwent a medical evaluation, and was transferred for inpatient hospitalization due to a diagnosis of rhabdomyolysis. After a follow up medical evaluation, Petitioner was recommended for entry level separation (ELS) due rhabdomyolysis,

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exiting prior to entry (EPTE) predisposition. Subsequently, Petitioner was counseled and notified he was not physically qualified for service due to the unlikelihood his condition would improve.

c. On 26 March 1997, Petitioner was notified of the initiation of administrative separation proceedings by reason of defective enlistment – erroneous enlistment due to his preservice medical condition of resolved acute rhabdomyolysis. Petitioner waived his right to consult with counsel or make a statement on his behalf.

d. On 28 March 1997, Petitioner was discharged with an entry-level separation, uncharacterized character of service, narrative reason for separation of defective enlistment and induction – erroneous resolved acute rhabdomyolysis, and a RE-3F reentry code.

e. A Marine qualifies for an entry level separation during the first 180 days of continuous active service. For the purposes of characterization of service or description of separation, the Marine's status is determined by the date of notification as to the initiation of separation proceedings.

f. Petitioner contends he was discharged for his diagnosis of rhabdomyolysis, which he incurred while on active duty. Petitioner states he was in good health prior to entry onto active duty, and he was under the impression that his discharge was for medical reasons.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants partial favorable action.

The Board determined Petitioner's administrative separation proceedings was initiated with sufficient cause based on his medical diagnosis and within the allotted time period to justify an entry-level separation with an uncharacterized character of service.

The Board further determined there is sufficient evidence to support Petitioner's medical diagnosis was incurred after his entry onto active duty. The Board concluded as a matter of justice to change Petitioner's narrative reason for separation.

## RECOMMENDATION

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) indicating that on 28 March 1997, Petitioner was discharged with an entry-level separation, uncharacterized character of service, MARCORSEPMAN 6214 separation authority, JFF1 separation code, RE-3F reentry code, and secretarial authority narrative reason for separation.

That no further changes be made to Petitioner's record.

A copy of this report of proceedings be filed in Petitioner's naval record.

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XXX XX [REDACTED] USMC

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

4/3/2023

[REDACTED]

Executive Director

Signed by: [REDACTED]