



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

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Docket No. 7081-23

Ref: Signature Date

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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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 6 October 2023. 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 this 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 Marine Corps and commenced a period of active duty on 7 June 2005. You were counseled in July 2006 and December 2006 regarding your disrespectful language, unauthorized absence (UA), and making a false statement. On 15 March 2007, you were counseled on your illegal drug involvement, following a positive urinalysis for marijuana. On 6 April 2007, you were convicted at a summary court martial (SCM) for wrongful use of marijuana and counseled regarding your misconduct. You refused treatment for substance abuse on 31 October 2007. On 5 November 2007, you were notified of the initiation of administrative separation proceedings as a result of misconduct due to drug abuse. Subsequently, you waived your right to consult with counsel, and a hearing before an administrative discharge board. On the same day, your commanding officer recommended your separation from active service with an Other Than Honorable (OTH) characterization by reason of misconduct due to drug abuse. The separation authority approved the recommendation and directed your discharge. On 12 December 2007, you were so discharged.

