



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

██████████  
Docket No. 10311-23

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

Encl: (1) DD Form 149 w/ enclosures

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, hereinafter referred to as the Board, requesting that his record be changed to upgrade his character of service to Honorable.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 8 January 2024, and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies, to include reference (b).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

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

c. Petitioner enlisted in the Marine Corps and commenced a period of active duty on 28 March 1989. Petitioner was placed on light duty for a foot injury in April 1991. He was counseled in July 1991 regarding his placement on a weight control program and notified he was given six months to meet Marine Corps weight standards. Petitioner was again counseled, on 10 October 1991, of his failure to maintain Marine Corps weight standards, and he was notified that he would be considered for administrative separation proceedings.

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XXX XX [REDACTED] USMC

d. On 31 January 1992, Petitioner's commanding officer recommended his discharge from the Marine Corps for unsatisfactory performance based on Petitioner's increase in weight after placement onto the weight control program. Petitioner NCOIC and OIC recommended Petitioner's discharge with an Honorable character of service. On 25 March 1992, Petitioner was notified of the initiation of administrative separation proceedings due to failure to conform to weight standards, at which point he waived his right to consult with counsel, and a hearing of his case before an administrative discharge board (ADB). Subsequently, the staff judge advocate (SJA) recommended Petitioner to receive a General (Under Honorable Conditions) (GEN) character of service, and Petitioner's administrative separation proceedings were determined to be sufficient in law and fact. Ultimately, Petitioner was discharge with a GEN character of service due to his failure to comply with weight standards.

e. Petitioner contends he served honorably, and he struggled with his weight due to stress fractures in his feet.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants full relief. The Board noted Petitioner was injured shortly before his placement on the weight control program and recognized the injury likely affected his ability to maintain Marine Corps weight standards. In making their decision, the Board heavily weighed Petitioner's NCOIC and OIC recommendations for an Honorable character of service and the fact Petitioner's record contained no misconduct. As a result, after reviewing the case holistically, the Board concluded the interests of justice supports upgrading Petitioner's characterization of service to Honorable.

Notwithstanding the recommended corrective action below, the Board determined Petitioner's basis for separation and assigned reentry code remains appropriate. Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

#### RECOMMENDATION:

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) indicating, for the period ending 20 May 1992, he received an "Honorable" character of service.

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

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

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

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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.

2/9/2024

[REDACTED]