



included, but were not limited to, your desire to upgrade your discharge character of service and contentions that, at the time of your service, you were harassed by your superiors and you believe this was the cause for your Captain's Mast and your administrative discharge. You further contend that you were asked by your commanding officer if you desired to remain in the Navy, you declined to remain in the Navy because you felt that it would not be safe for you. For purposes of clemency and equity consideration, the Board noted you did not provide supporting documentation describing post-service accomplishments or advocacy letters.

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your administrative discharge for misconduct due to commission of a serious offense, outweighed these mitigating factors. In making this finding, the Board considered the likely seriousness of your misconduct and the possible negative effects it had on the good order and discipline of your unit. Finally, the Board noted that you did not provide any evidence, other than your statement, to substantiate your contentions. Therefore, the Board concluded your evidence was insufficient to overcome the presumption of regularity in your case. As a result, the Board determined significant negative aspects of your active-duty service outweighed the positive and continues to warrant a GEN characterization. Even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. 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 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,

3/18/2024

