

1. Applicant's Name: [REDACTED]**a. Application Date:** 11 August 2021**b. Date Received:** 17 August 2021**c. Counsel:** None**2. REQUEST, ISSUES, BOARD TYPE, AND DECISION:**

a. Applicant Requests: The current characterization of service for the period under review is under other than honorable conditions. The applicant requests an upgrade to their separation and reentry codes.

b. Applicant Contention(s)/Issue(s): The applicant requests relief contending, the discharge was improper due to significant administrative and logistical hardships beyond their control. The applicant's duty station was located in Montgomery, Alabama, more than 100 miles from their home in Georgia, and they were denied a unit transfer closer to their residence. After their civilian recruiter assignment ended before completion of AIT (Advanced Individual Training), the applicant experienced repeated housing instability, including periods of homelessness, following family relocation and loss of housing. Despite these hardships, the applicant continued to report for drill by traveling long distances, completed professional military training, and complied with chain of command guidance to attend drills at alternate units. The applicant asserts they did not receive critical adverse action correspondence and only became aware of the separation process after reporting to drill in December 2013. The applicant further contends they remained committed to military service, pursued education and career development, and continue to seek opportunities to serve, demonstrating motivation and rehabilitative potential warranting relief.

c. Board Type and Decision: In a records review conducted on 11 February 2026, and by a 3-0 vote, the Board determined the discharge is inequitable based on the applicant's length of service and post-service period of homelessness. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to General, Under Honorable Conditions. Please see **Board Discussion and Determination** section for more detail regarding the Board's decision. Board member names are available upon request.

3. DISCHARGE DETAILS:

a. Reason / Authority / Codes / Characterization: Unsatisfactory Participation / USAR 135-178, Chapter 13 / NIF / NIF / Under Other than Honorable Conditions

b. Date of Discharge: 29 October 2013**c. Separation Facts:****(1) Date of Notification of Intent to Separate:** 8 April 2013

(2) Basis for Separation: The applicant accumulated nine or more unexcused absences during the last 12 months.

(3) Recommended Characterization: Under Other than Honorable Conditions**(4) Legal Consultation Date:** Not Completed

(5) Administrative Separation Board: NIF

(6) Separation Decision Date / Characterization: 9 October 2013 / Under Other than Honorable Conditions

4. SERVICE DETAILS:

a. Date / Period of Enlistment Under Review: 24 April 2009 / 6 years

b. Age at Enlistment / Education / GT Score: 20 / High School Diploma / 119

c. Highest Grade Achieved / MOS / Total Service: E-4 / 92A1O 00 Automated Logistical Specialist / 4 years, 6 months, 6 days

d. Prior Service / Characterizations: None

e. Overseas Service / Combat Service: None

f. Awards and Decorations: NDSM, ASR

g. Performance Ratings: NA

h. Disciplinary Action(s) / Evidentiary Record: An authenticated DD Form 214 (Certificate of Release or Discharge from Active Duty) provides the applicant attended basic combat training (BCT) and AIT (Advanced Individual Training) between 8 July – 25 November 2009 and was released from active duty training under the provisions of AR 635-200, Chapter 4 for completion of required active service with an honorable characterization of service. The applicant has complete their first full term of service.

(1) A Report to Suspend Favorable Personnel Actions (FLAG), on 8 April 2013, provides the applicant was flagged for adverse action (AA).

(2) On 9 October 2013, the separation authority directed the applicant be separated under the provisions of AR 135-178, Chapter 13, Unsatisfactory Participation with an under other than honorable conditions characterization of service, which imposed a reduction to private (E-1).

i. Lost Time / Mode of Return: None

j. Behavioral Health Condition(s): The following documents have been provided to the ARBA Medical Advisor, if applicable. See **"Board Discussion and Determination"** for Medical Advisor Details.

(1) Applicant provided: None

(2) AMHRR provided: None

5. APPLICANT-PROVIDED EVIDENCE: Application for the Review of Discharge; Self-Authored Statement; Certificate of Release or Discharge from Active Duty; United States Army Reserve Separation Orders; Service School Academic Evaluation Report; Enlisted Personnel Qualification Record

6. POST SERVICE ACCOMPLISHMENTS: None provided with application.

7. STATUTORY, REGULATORY AND POLICY REFERENCE(S): Section 1553, Title 10, United States Code (Review of Discharge or Dismissal) provides for the creation, composition, and scope of review conducted by a Discharge Review Board(s) within established governing standards. As amended by Sections 521 and 525 of the National Defense Authorization Act for Fiscal Year 2020, 10 USC 1553 provides specific guidance to the Military Boards for Correction of Military/Naval Records and Discharge Review Boards when considering discharge upgrade requests by Veterans claiming Post Traumatic Stress Disorder (PTSD), Traumatic Brain Injury (TBI), sexual trauma, intimate partner violence (IPV), or spousal abuse, as a basis for discharge review. The amended guidance provides that Boards will include, as a voting board member, a physician trained in mental health disorders, a clinical psychologist, or a psychiatrist when the discharge upgrade claim asserts a mental health condition, including PTSD, TBI, sexual trauma, IPV, or spousal abuse, as a basis for the discharge. Further, the guidance provides that Military Boards for Correction of Military/Naval Records and Discharge Review Boards will develop and provide specialized training specific to sexual trauma, IPV, spousal abuse, as well as the various responses of individuals to trauma.

a. Office, Secretary of Defense memorandum (Supplemental Guidance to Military Boards for Correction of Military/Naval Records Considering Discharge Upgrade Requests by Veterans Claiming Post Traumatic Stress Disorder), 3 September 2014, directed the Service Discharge Review Boards (DRBs) and Service Boards for Correction of Military/Naval Records (BCM/NRs) to carefully consider the revised PTSD criteria, detailed medical considerations and mitigating factors when taking action on applications from former service members administratively discharged UOTHC and who have been diagnosed with PTSD by a competent mental health professional representing a civilian healthcare provider in order to determine if it would be appropriate to upgrade the characterization of the applicant's service.

b. Office, Under Secretary of Defense memorandum (Clarifying Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Considering Requests by Veterans for Modification of their Discharge Due to Mental Health Conditions, Sexual Assault, or Sexual Harassment), 25 August 2017 issued clarifying guidance for the Secretary of Defense Directive to DRBs and BCM/NRs when considering requests by Veterans for modification of their discharges due in whole or in part to mental health conditions, including PTSD; Traumatic Brain Injury; sexual assault; or sexual harassment. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part to those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.

c. Office, Under Secretary of Defense memorandum (Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations), 25 July 2018 issued guidance to Military DRBs and BCM/NRs regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.

(1) This guidance does not mandate relief but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, DRBs shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of

misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.

(2) Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.

d. Army Regulation 15-180 (Army Discharge Review Board), dated 25 September 2019, sets forth the policies and procedures under which the Army Discharge Review Board is authorized to review the character, reason, and authority of any Servicemember discharged from active military service within 15 years of the Servicemember's date of discharge. Additionally, it prescribes actions and composition of the Army Discharge Review Board under Public Law 95-126; Section 1553, Title 10 United States Code; and Department of Defense Directive 1332.41 and Instruction 1332.28.

e. Army Regulation 135-178 (Army National Guard and Reserve Enlisted Administrative Separations), dated 13 March 2007, sets forth the policies, standards, and procedures, to ensure the readiness and competency of the U.S. Army while providing for the orderly administrative separation of Army National Guard and USAR enlisted Soldiers for a variety of reasons. The separation policies throughout the different Chapters in this regulation promote the readiness of the Army by providing an orderly means to judge the suitability of persons to serve on the basis of their conduct and their ability to meet required standards of duty performance and discipline.

(1) Chapter 2 provides the possible characterizations include an honorable, general (under honorable conditions), under other than honorable conditions, or uncharacterized if the Soldier is in entry-level status. However, the permissible range of characterization varies based on the reason for separation. The characterization is based upon the quality of the Soldier's service, including the reason for separation and determination in accordance with standards of acceptable personal conduct and performance of duty as found in the UCMJ, Army regulations, and the time-honored customs and traditions of the Army. The reasons for separation, including the specific circumstances that form the basis for the discharge are considered on the issue of characterization.

(2) Chapter 13 states a Soldier is subject to discharge for unsatisfactory participation when it is determined the Soldier is unqualified for further military service because: the Soldier is an unsatisfactory participant as prescribed by AR135-91, Chapter 4 (accrual of nine or more unexcused absences in any 12 month period); attempts to have the Soldier respond or comply with orders or correspondence have resulted in: noncompliance; a notice sent by certified mail was refused, unclaimed, or otherwise undeliverable; or the Soldier has failed to notify the command of a change of address and reasonable attempts to contact the Soldier have failed. Army policy states an under other than honorable conditions discharge is normally considered appropriate; however, a general (under honorable conditions) may be granted based on the record.

(3) Chapter 14 provides explicitly for separation under the prerogative of the Secretary of the Army. Secretarial plenary separation authority is exercised sparingly and seldom delegated. Ordinarily, it is used when no other provision of this regulation applies, and early separation is clearly in the Army's best interest. Separations under this paragraph are effective only if approved in writing by the Secretary of the Army or the Secretary's approved designee as announced in updated memoranda. Secretarial separation authority is normally exercised on a

case-by-case basis. If Secretarial Authority is granted, it will normally correct the record to show the following:

- Separation Authority: Army Regulation 135-178, Chapter 14
- Separation Code: NA
- Reenlistment Code: NA
- Narrative Reason for Separation: Secretarial Plenary Authority
- Character of Service: Honorable

8. SUMMARY OF FACT(S): Standard of Review. The Army Discharge Review Board considers applications for upgrade as instructed by Department of Defense Instruction 1332.28.

a. The applicant requests an upgrade to their separation and reentry codes. The applicant's Army Military Human Resources Record (AMHRR), the issues, and documents submitted with the applicant were carefully reviewed.

(1) USAR separation orders identifies the applicant was discharged under the provisions of AR 135-178, Chapter 13 for unsatisfactory participation with an under other than honorable conditions characterization of service, which imposed a reduction to the lowest enlisted paygrade. The applicant accumulated nine or more unexcused absences during the last year of service. They served 4 years, 6 months, and 6 days of their 6-year enlistment contractual obligation.

(2) The applicant contends the discharge was improper due to significant logistical and housing hardships beyond their control. Their duty station was more than 100 miles from home, a transfer request was denied, and the end of their recruiter assignment coincided with period s of homelessness and family relocation. Despite these challenges, the applicant continued to report for drill, completed required training, and followed command guidance, but did not receive critical separation correspondence until reporting to drill in December 2013. The applicant asserts continued commitment to military service and personal development, warranting equitable relief.

b. Chapter 13 states a Soldier is subject to discharge for unsatisfactory participation when it is determined the Soldier is unqualified for further military service because: the Soldier is an unsatisfactory participant as prescribed by AR135-91, Chapter 4; attempts to have the Soldier respond or comply with orders or correspondence have resulted in: noncompliance; a notice sent by certified mail was refused, unclaimed, or otherwise undeliverable; or the Soldier has failed to notify the command of a change of address and reasonable attempts to contact the Soldier have failed. Army policy states an under other than honorable conditions discharge is normally considered appropriate; however, a general (under honorable conditions) discharge may be granted in meritorious cases.

c. Army Regulation 135-178 sets forth the policies, standards, and procedures, to ensure the readiness and competency of the U.S. Army while providing for the orderly administrative separation of Army National Guard and USAR enlisted Soldiers for a variety of reasons. The separation policies throughout the different Chapters in this regulation promote the readiness of the Army by providing an orderly means to judge the suitability of persons to serve on the basis of their conduct and their ability to meet required standards of duty performance and discipline.

9. BOARD DISCUSSION AND DETERMINATION:

a. As directed by the 2017 memo signed by A.M. Kurta, the board considered the following factors:

(1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? **No.** The Board's Medical Advisor reviewed DoD and VA medical records and found no mitigating BH diagnoses on the applicant. The applicant provided no documents or testimony of a condition or experience, that, when applying liberal consideration, could have excused or mitigated a discharge.

(2) Did the condition exist, or experience occur during military service? **N/A**

(3) Does the condition or experience actually excuse or mitigate the discharge? **N/A**

(4) Does the condition or experience outweigh the discharge? **N/A**

b. Prior Decisions Cited: **N/A**

c. Response to Contention(s): The applicant contends the discharge was improper due to significant logistical and housing hardships beyond their control. Their duty station was more than 100 miles from home, a transfer request was denied, and the end of their recruiter assignment coincided with periods of homelessness and family relocation. Despite these challenges, the applicant continued to report for drill, completed required training, and followed command guidance, but did not receive critical separation correspondence until reporting to drill in December 2013. The applicant asserts continued commitment to military service and personal development, warranting equitable relief.

The Board determined that this contention was valid and voted to upgrade the characterization of service due to the applicant's length of service and post-service period of homelessness.

d. The Board determined the discharge is inequitable based on the applicant's length of service and post-service period of homelessness. Therefore, the Board voted to grant relief in the form of an upgrade of the characterization of service to General, Under Honorable Conditions.

e. Rationale for Decision:

(1) Published Department of Defense guidance indicates the guidance is not intended to interfere or impede on the Board's statutory independence. The Board determines the relative weight of the action that was the basis for the discharge and whether it supports relief or not. In reaching its determination, the Board considers the application, available records and any supporting documents included with the application.

(2) The Board voted to change the applicant's characterization of service to General, Under Honorable Conditions because the applicant's length of service and post-service period of homelessness.. Thus, the prior characterization is no longer appropriate. The applicant's misconduct fell below that level of meritorious service warranted for an upgrade to Honorable.

(3) The Board voted not to change the applicant's reason for discharge, as the reason the applicant was discharged was both proper and equitable with a record of numerous certified mailings from the unit.

ARMY DISCHARGE REVIEW BOARD CASE REPORT AND DIRECTIVE

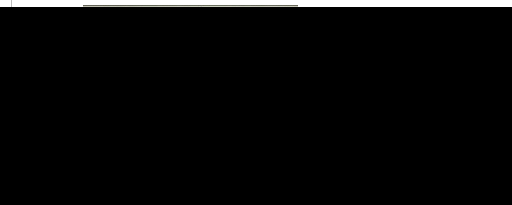
AR20210014244

10. BOARD ACTION DIRECTED:

- a. Issue a New DD-214: Yes
- b. Change Characterization to: General, Under Honorable Conditions
- c. Change Reason to: No Change
- d. Change Authority to: No Change

Authenticating Official:

2/18/2026



Legend:

AWOL – Absent Without Leave
AMHRR – Army Military Human
Resource Record
BCD – Bad Conduct Discharge
BH – Behavioral Health
CG – Company Grade Article 15
CID – Criminal Investigation
Division
ELS – Entry Level Status
FG – Field Grade Article 15
FTR – Failure to Report

GD – General Discharge
HS – High School
HD – Honorable Discharge
IADT – Initial Active-Duty
Training
MP – Military Police
MST – Military Sexual Trauma
N/A – Not applicable
NCO – Noncommissioned Officer
NIF – Not in File
NOS – Not Otherwise Specified

OAD – Ordered to Active Duty
OBH (I) – Other Behavioral
Health (Issues)
OMPF – Official Military
Personnel File
PTSD – Post-Traumatic Stress
Disorder
RE – Re-entry
SCM – Summary Court Martial
SPCM – Special Court Martial

SPD – Separation Program
Designator
TBI – Traumatic Brain Injury
UNC – Uncharacterized
Discharge
UOTHHC – Under Other Than
Honorable Conditions
VA – Department of Veterans
Affairs