

**DEPARTMENT OF HOMELAND SECURITY
BOARD FOR CORRECTION OF MILITARY RECORDS**

Application for Correction of
the Coast Guard Record of:

BCMR Docket No. 2019-035

████████████████████
██████████ BMC/E-7

FINAL DECISION ON RECONSIDERATION

This is a proceeding under the provisions of 10 U.S.C. § 1552 and 14 U.S.C. § 2507. The Chair docketed the case upon receipt of the applicant's completed application on August 30, 2018, and prepared the decision for the Board as required by 33 C.F.R. § 52.61(c).

This final decision on reconsideration, dated October 18, 2019, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

REQUEST AND BASIS FOR RECONSIDERATION

The applicant asked the Board to reconsider his request in BCMR Docket No. 2012-148 to upgrade the character of his August 12, 2011, discharge from general to honorable. The new material he submitted to receive reconsideration, as required by 10 U.S.C. § 1552(a)(3)(D), consists of a transcript showing that he graduated from law school in Spring 2017. The applicant repeated some prior claims and stated that he has two special needs children and that upgrading his discharge would help him get a job but would not confer on him any additional benefits.

VIEWS OF THE COAST GUARD

In accordance with 33 C.F.R. § 52.42, the Chair forwarded a copy of the request for reconsideration to the Coast Guard. A judge advocate submitted an advisory opinion on May 16, 2019, in which she recommended that the Board deny the request because the applicant's request is untimely, no new relevant facts or law have been alleged, and his submission does not meet the requirements for reconsideration under 33 C.F.R. § 52.67.

APPLICANT'S RESPONSE TO THE VIEWS OF THE COAST GUARD

On May 22, 2019, the Chair sent the applicant a copy of the views of the Coast Guard and invited him to submit a response within thirty days. No response was received.

FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions on the basis of the applicant's military record and submissions, the Coast Guard's submissions, and applicable law:

1. The Board has jurisdiction concerning this matter pursuant to 10 U.S.C. § 1552. The request for reconsideration was timely filed pursuant to 10 U.S.C. § 1552(a)(3)(D).

2. The applicant's new material—his law school transcript and parenting of two special needs children—reflects post-discharge conduct and considerations; is not relevant to his character of military service or discharge; could not result in a different outcome than that reached in BCMR Docket No. 2012-148; and does not warrant reopening any of the issues in that case.

3. Accordingly, the application should be denied.

(ORDER AND SIGNATURES ON NEXT PAGE)

ORDER

The application of former BMC [REDACTED], USCG, for correction of his military record is denied.

October 18, 2019

