

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

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**Application for Correction of  
The Coast Guard Record of:**

**BCMR Docket No. 2024-157**

  
**SR/E-1 (Former)**

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**FINAL DECISION**

This proceeding was conducted according to the provisions of 10 U.S.C. §1552 and 14 U.S.C. §2507. The Chair docketed the case after receiving the completed application on August 21, 2024 and assigned the case to a staff attorney to prepare the decision in accordance with 33 C.F.R. § 52.61(c).

This final decision, dated September 11, 2025, is approved and signed by the three (3) duly appointed members who were designated to serve as the Board in this case.

**APPLICANT’S REQUEST AND ALLEGATIONS**

Applicant requests that his discharge characterization be upgraded from uncharacterized to Honorable. Specifically, Applicant was discharged by administrative action, after serving approximately one month. He alleges that the reason for separation was that his company commander was unstable, creating an environment that was like an “insane asylum”. He describes his commander taking actions including, “marching [his command] into walls while singing or rapping songs until we were falling on the ground, whisper crazy things while [Applicant] was sleeping like he was going to make sure we were sent to die on an icebreaker in the Arctic then switch gears to telling me I was great then start getting emotional telling us strange things from his childhood.”

He states that when he was assigned the charge of a servicemember who had attempted suicide, he thought to himself that he “did not want to end up like that guy.” Applicant explains that he knew of other servicemembers in the company who were planning to lie about themselves being unsuitable for duty in order to be discharged, and that he did not want to follow suit. He believes that had he been assigned to a different commander, he would have had a “great career in the USCG or at least a solid four years.” He states that he feels as though he was “robbed of that [potential] unfairly and reacted the best way [his] 18 year old self could at the time.”

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In August 2024, Applicant supplemented his application with additional information. In his supplement, he explains that since his original submission, he had applied to the VA to have his discharge upgraded from uncharacterized to Honorable. He states that his VA application was approved, and now his DD Form 214 “just needs to be updated[.]”

### **SUMMARY OF THE RECORD**

Applicant enlisted in the United States Coast Guard on February 25, 1991, and reported for basic training at Cape May. On March 21, 1991, Applicant presented to the medical clinic with suicidal ideations, reporting that joining the Coast Guard was a “mistake,” that he was “easy game [for] other shipmates picking on him,” and that after much thought, he did not want to finish training. He was diagnosed with Adjustment Disorder with manipulative behavior. On March 25, 1991, Applicant was recommended for administrative separation based on his medical diagnosis in accordance with COMDTINST M.1000.6A, Art. 12-B-16 and Art. 12-B-20, having served fewer than 180 days of active service and demonstrating unsuitability for further service during enlistment through recruit training.

### **VIEWS OF THE COAST GUARD**

On June 3, 2025, a Judge Advocate of the Coast Guard submitted an advisory opinion recommending the Board deny relief in accordance with a memorandum submitted by the Commanding Officer of the Coast Guard Personnel Service Center (CG PSC).

CG PSC specifically found the application untimely. In particular, CG PSC considered the time between discharge and request for relief (more than 30 years) did not meet the timeliness requirements. Further, CG PSC did not consider the merits of Applicant’s claims sufficient to overcome the application’s untimeliness. CG PSC reasoned that uncharacterized discharges were not a negative characterization of a servicemember’s performance, but, instead, a designation made because the servicemember did not have sufficient time in service to fairly assess or characterize his performance. The CG PSC found Applicant’s discharge was consistent with his medical and administrative findings at the time of separation.

### **APPLICANT’S RESPONSE TO THE VIEWS OF THE COAST GUARD**

On June 12, 2025, the Chair of the BCMR sent the Coast Guard’s Opinion to the Applicant and invited a response within thirty days. No response was received.

### **APPLICABLE REGULATIONS**

#### **12.B.16.b. Causes for Discharge for Unsuitability**

2. Personality Disorders. As determined by medical authority, personality behavior disorders and disorders of intelligence listed in the Medical Manual, COMDTINST M6000.1 (series), Chapter 5.

#### **12.B.20. Uncharacterized Discharges**

##### **12.B.20.a. Definition**

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1. Uncharacterized discharges are authorized for all members separated at the entry level on or after 15 June 1983 who:
  - a. Have fewer than 180 days of active service on discharge, and
  - b. Demonstrate poor proficiency, conduct, aptitude or unsuitability for further service during the period from enlistment through recruit training[.]

COMDTINST M1000.6A (8 JAN 1988)

### FINDINGS AND CONCLUSIONS

The Board makes the following findings and conclusions based on 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.
2. An application to the Board must be filed within three years after the applicant discovers the alleged error or injustice.<sup>1</sup> The Applicant received his DD Form 214 on or about March 27, 1991. Based on the showing made, a preponderance of the evidence shows that the applicant knew or should have known of the alleged error in his record on that date. Consequently, the deadline for filing would have been March 27, 1994. Applicant filed his application on or about July 12, 2022. The instant application is untimely.
3. The Board may excuse the untimeliness of an application if it is in the interest of justice to do so.<sup>2</sup> In *Allen v. Card*, 799 F. Supp. 158 (D.D.C. 1992), the court stated that the Board should not deny an application for untimeliness without “analyz[ing] both the reasons for the delay and the potential merits of the claim based on a cursory review”<sup>3</sup> to determine whether the interest of justice supports a waiver of the statute of limitations. The court noted that “the longer the delay has been and the weaker the reasons are for the delay, the more compelling the merits would need to be to justify a full review.”<sup>4</sup>
4. A review of the merits of this case reveals that Applicant's request for discharge upgrade is not warranted.
  - a. Applicant enlisted in the United States Coast Guard on February 25, 1991.
  - b. On March 21, 1991, Applicant presented for medical care with complaints concerning his emotional state. He was admitted to the USCG TRACEN medical facility at Cape May, N.J.
  - c. On March 21, 1991, Applicant was referred for civilian medical care based on reports that threatened suicide and stated he did not want to be in the USCG. On this date, he was provisionally diagnosed with adjustment disorder and manipulative behavior.

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<sup>1</sup> 10 U.S.C. § 1552(b) and 33 C.F.R. § 52.22.

<sup>2</sup> 10 U.S.C. § 1552(b).

<sup>3</sup> *Allen v. Card*, 799 F. Supp. 158, 164 (D.D.C. 1992).

<sup>4</sup> *Id.* at 164, 165; *see also Dickson v. Secretary of Defense*, 68 F.3d 1396 (D.C. Cir. 1995).

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- d. On March 22, 1991, Applicant was evaluated by civilian medical referral and diagnosed with adjustment disorder and depressed mood.
- e. On March 25, 1991, USCG Health Services Division recommended Applicant for administrative separation based on his medical diagnosis.
- f. On March 27, 1991, Applicant was administratively discharged from the USCG without a discharge certificate, in accordance with regulations, and issued a DD Form 214.
- g. Per regulations for servicemembers having served fewer than 180 days and demonstrating unsuitability, Applicant was separated with an uncharacterized discharge.
- h. Although Applicant requests that his discharge be characterized as Honorable, and, therefore, upgraded from uncharacterized, such an upgrade is unwarranted. Applicant was not entitled to an Honorable discharge as his time in service as of the date of discharge was approximately 30 days, well below the 180-day threshold within which a servicemember's performance could be fairly characterized.
- i. Finally, Applicant's presumption that a Veterans Administration decision necessarily has dispositive bearing on a concurrent or pending claim for modification of a military record, is misplaced. VA determinations may, in certain cases, be persuasive in matters pending before military boards to correct records. However, this is not such a case. VA determinations apply to VA matters. The military boards have complete and unfettered jurisdiction over applications pending before them, independent of another agency's actions.
- j. Accordingly, the request to change Applicant's discharge from uncharacterized to Honorable is without merit, and the application's untimeliness should not be waived.
- k. Applicant's request for relief should be denied.

**[ORDER AND SIGNATURE ON NEXT PAGE]**

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**ORDER**

The application of former SR/E-1, [REDACTED], USCG, to change Applicant's discharge from uncharacterized to Honorable is denied.

September 11, 2025

