


**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. 2025-089**

  
MKC/E-7 (former)

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**FINAL DECISION**

This proceeding was conducted by the Board for Correction of Military Records of the Coast Guard (“Board”) according to the provisions of 10 U.S.C. § 1552 and 14 U.S.C. § 2507. After receiving the completed application, the Chair docketed the case on April 15, 2025, and assigned the case to a staff attorney to prepare the decision pursuant to 33 C.F.R. § 52.61(c).

This final decision, dated February 26, 2026, is approved and signed by the three duly appointed members who were designated to serve as the Board in this case.

**APPLICANT’S REQUEST AND ALLEGATIONS**

The applicant, a former MKC/E-7 discharged after fifteen years of service on May 31, 2020, applied to the Board on April 7, 2025. He alleged that his characterization of service of General (Honorable Conditions) was the product of “[u]ndue higher level command influence and imposed unnecessary and undue mental trauma.” The applicant had previously contested his discharge before the Coast Guard Discharge Review Board (DRB), which denied his application on November 29, 2022. The applicant was discharged based on ineligibility to reenlist due to a summary court-martial conviction received during his enlistment. Applicant only contests the characterization of service and does not allege error or injustice in the discharge, narrative reason for separation, etc.

**SUMMARY OF THE RECORD**

The applicant originally enlisted in the Coast Guard on August 30, 2005. His military service record shows a history of numerous awards, including three awards each of the Coast Guard Commendation and Achievement Medals. He also received

consistently high marks on evaluations and numerous positive Administrative Remarks (CG-3307) entries in his record prior to the events leading to his discharge in 2018. The applicant moved quickly through the enlisted grades and was promoted to MKCS/E-8 on October 1, 2018.

The applicant was investigated by the Coast Guard Investigative Service for a allegations of sexual and alcohol-related misconduct that occurred on October 4, 2018. These allegations were supported by eyewitness statements of two Coast Guardsmen that observed the applicant, who was married, engaged in a sexual act with a commissioned officer. The record is unclear as to what, if any, criminal offenses were substantiated by the Coast Guard Investigative Service (CGIS) investigation.

The applicant was temporarily relieved of his duties as Engineering Petty Officer on board a Coast Guard Cutter on October 5, 2018. He was eventually permanently relieved from his duties on the Cutter, which appears from his record to have taken effect on or before September 13, 2019, when he was assigned to the Sector Key West Administrative and Personnel Division.

As a result of his conduct during this incident, applicant was charged with two specifications in violation of Article 92, Uniform Code of Military Justice (UCMJ). These were one specification each of “Dereliction of Duty” and “Failure to Obey Order.” The record before the Board is not clear which version of each offense was charged, since the charge sheet itself was not included in the applicant’s personnel records. The applicant pled guilty to these charges at a summary court-martial on November 6, 2019 and was reduced to the next inferior grade (MKC/E-7). The record indicates that there was a pretrial agreement, but that its terms did not limit the sentence as adjudged.

The applicant was issued an Administrative Remarks (CG-3307) on January 6, 2020 informing him that he does not meet the reenlistment/extension eligibility criteria and did not receive a positive recommendation for reenlistment/extension. The basis for this was that he “pled guilty and were found to have violated two violations of Article 92-Failure to Obey Order and Dereliction of Duty at a Summary Court Martial.” The applicant acknowledged this, and that he had “been given the reason(s) for this action, and underst[ood] this counseling [did] not initiate a performance probation period,” but was intended to allow the applicant time to prepare for separation. The applicant’s enlistment ended on May 31, 2020.

Also on January 6, 2020, the applicant’s commanding officer at CG Sector Key West sent a memorandum to the Commander, Coast Guard PSC-EPM-1 informing him that the applicant did not meet the reenlistment/extension eligibility criteria and did not receive a positive recommendation for reenlistment/extension. The memorandum recommended an Honorable character of service.

On January 31, 2020, a CDR/O-5 at PSC-EPM-1 emailed a CDR/O-5 at Sector Key West, asking “How hard over are you guys on an honorable [characterization of service] for MKC? [Name Redacted] and I are struggling.” On February 28, 2020, the CDR at Sector Key West responded “The recommended characterization for MKC by the Sector Commander, Sector Key West, is for a General Discharge. Thank you for your insight and assistance.”

The applicant was discharged on May 31, 2020 with a General (Honorable Conditions) characterization of service. His narrative reason for separation was “Completion of Required Active Service.”

The applicant applied to the Coast Guard Discharge Review Board (DRB) at some point after this date, and the DRB decided his case sometime between November 29, 2024 and January 22, 2024, denying relief. The applicant was notified on or after January 22, 2024.

### IEWS OF THE COAST GUARD

On November 28, 2025, a Coast Guard Judge Advocate (JA) submitted an advisory opinion (AO) in which he recommended the Board deny relief in this case. In the AO, the JA adopted the analysis of the Coast Guard Personnel Service Center contained in an attached memorandum, with some amendments.

The JA acknowledged that the application was timely. Applicant was discharged in 2020 and immediately requested relief from the DRB. That request was denied on January 22, 2024,<sup>1</sup> and the applicant applied to the Board on April 7, 2025.

The JA argued that discharge under honorable conditions (general) was appropriate, given the applicant’s summary court martial conviction, permanent relief from duty for unsatisfactory conduct, and a performance evaluation reflecting unsatisfactory conduct and unacceptable ratings. The JA acknowledges that the applicant’s commanding officer initially recommended an honorable discharge, and that there was subsequent discussion between the applicant’s command and the PSC that resulted in a change to that recommendation that PSC accepted and issued a general discharge. The JA notes that despite the recommendation for an honorable discharge, there was sufficient evidence in the record to result in a general discharge.

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<sup>1</sup> This date apparently reflects the date the DRB memorandum was signed by the DRB president, not the date of the Board’s action or the Assistant Commandant for Military Personnel’s approval of that action. The only date on the memorandum is November 29, 2022, upon which the DRB “made a thorough review of [the] application and service record in order to establish an advisory opinion.” It is therefore unclear when the DRB actually took action in this case, but it was presumably sometime between these two dates. However, the date of the opinion is immaterial to the Board’s jurisdiction or the effect of the statute of limitations on this case, so this opinion will not address this discrepancy further.

The JA further asserted that the Coast Guard failed to issue the applicant the Administrative Remarks entry on a CG-3307 required by COMDTINST M1000.4 Art. I.B.2(f)(2), but that the lack of this entry amounted to harmless error.

#### APPLICANT'S REPLY TO THE VIEWS OF THE COAST GUARD

The applicant was provided with the views of the Coast Guard on January 14, 2026 and given 30 days to submit a response. The Board received his response on January 28, 2026 in which he contests the AO on eight grounds, supported by a number of documents contained within his official Coast Guard records. His arguments were as follows:

1. Applicant asserts his application is timely.
2. Applicant asserts that while Commander, PSC-EPM-1 was the decision authority for his discharge, the AO was "misleading" because it does not specifically discuss the immediate commanding officer's option to make a recommendation for an honorable discharge. He again claims that discussion between the staffs of these commanders caused his immediate commander to change his recommendation and triggered "actual or apparent Unlawful Command Influence."
3. Applicant argues that he was not found guilty of "several" UCMJ articles, but one Article and two Specifications.
4. Applicant asserts that the AO miscites COMDTINST M1000.4 by referring to "final average marks" instead of "final marks average."
5. Applicant asserts a new argument that his case qualifies for "special consideration" under COMDTINST M1000.4 Article 1.B.2.f(1)(f)[1] because he was awarded a Coast Guard Commendation Medal during the period of enlistment from which he was discharged.
6. Applicant asserts that the "specific reason for discharge" was not stated on form CG-3307, as required by COMDTINST M1000.4. He then appears to assert that the identification of "Completion of Required Active Service" as the narrative reason for separation on his DD 214 renders this error non-harmless, as the AO contends.
7. Applicant accuses the JA of making a "wanton misrepresentation" in the AO, namely that the accused committed abusive sexual contact. The Board here notes that no such allegation was made in the AO or supporting PSC memorandum, but it is referenced in the DRB decision. Applicant goes on to contend that such allegations require proof by "clear and convincing evidence," and that the investigation concluded

that no such incident occurred and were a “willful misrepresentation.” Applicant further alleges that the command found these allegations to be without “factual basis.”

8. Applicant finally contends that the Coast Guard showed “ignorance of fact, incorrect assertions, and negligent misrepresentation,” and further accuses the PSC of “unrestrained abuse of discretion” supported by a “pattern of prejudice.”

## APPLICABLE LAW AND POLICY

### *Board Proceedings*

The Board may correct errors or remove injustices in a service member’s records pursuant to 10 U.S.C. § 1552(a). “Error” means a mistake of a significant fact or law and includes a violation by the Coast Guard of its own regulations. *See Reale v. United States*, 208 Ct. Cl. 1010, 1011 (1976) (“‘Error’ means legal or factual error.”); *Ft. Stewart Schools v. Federal Labor Relations Authority*, 495 U.S. 641, 654 (1990) (“It is a familiar rule of administrative law that an agency must abide by its own regulations.”). Injustice, when not also error, is treatment by the military authorities that “shocks the sense of justice.” *Sawyer v. United States*, 18 Ct. Cl. 860, 868 (1989) citing *Reale v. United States*, 208 Ct. Cl. 1010, 1011, cert. denied, 429 U.S. 854, 50 L. Ed. 2d 129, 97 S. Ct. 148 (1976). The Board has authority to determine whether an injustice exists on a “case-by-case basis.” Docket No. 2002-040 (DOT BCMR, Decision of the Deputy General Counsel, Dec. 4, 2002).

“It is the responsibility of the Applicant to procure and submit with his or her application such evidence, including official records, as the Applicant desires to present in support of his or her case.” 33 C.F.R. § 52.24 (a). “The Board begins its consideration of each case presuming administrative regularity on the part of the Coast Guard and other Government officials. The Applicant has the burden of proving the existence of an error or injustice by the preponderance of the evidence.” 33 C.F.R. § 52.24 (b). Absent evidence to the contrary, the Board presumes that Coast Guard officials and other Government employees have carried out their duties “correctly, lawfully, and in good faith.” *Arens v. United States*, 969 F.2d 1034, 1037 (Fed. Cir. 1992); *Sanders v. United States*, 594 F.2d 804, 813 (Ct. Cl. 1979).

### *Coast Guard Manuals & Instructions*

#### *Military Separations*

The Military Separations Manual, COMDTINST M1000.4 (August 2018), covers discharging a service member with eight or more years of active service. In relevant part:

**1.B.2.f.2. Standards of Discharge. General Discharge.** The member’s commanding officer or higher authority may effect a separation with a general discharge if the member is subject to discharge and a general

discharge is warranted under the standards prescribed in this paragraph. When a general discharge is issued for one of the reasons listed in Article 1.B.2.f.(1).(a). of this Manual, the specific reason shall be stated in an entry on an Administrative Remarks, Form CG-3307, entry in the member's PDR. A general discharge applies in these situations:

a. The member either:

1. Has been identified as a user, possessor, or distributor of illegal drugs or paraphernalia; **1.B.5.a. Scope.** If at the time of the initial pre-discharge interview conducted under Article 1.B.4.b. of this Manual or any time after a commanding officer determines an enlisted member is not eligible to reenlist, this Article's procedures apply.

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**1.B.5.c. More than Eight Years' Service.** Members who have eight or more years of total active duty and/or reserve military service that meet the reenlistment eligibility criteria in reference (l), Enlisted Accessions, Evaluations and Advancements, COMDTINST M1000.2 (series), but are not recommended for reenlistment by their commanding officer, are entitled to a reenlistment board. However, members who do not meet the eligibility criteria are not entitled to a reenlistment board, even if they have eight or more years of total active and/or reserve military service. If a member is entitled to a reenlistment board, the commanding officer shall follow the procedures in Reference (q), Enlisted Personnel Administrative Boards Manual, PSCINST M1910.1 (series).

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#### **1.B.4.b. Initial Interview**

(1) Based on the member's record and the guidelines in Article 1.B.4.a. of this Manual, the commanding officer shall advise each member approximately six months before his or her enlistment expires whether he or she is eligible to reenlist. The commanding officer shall fully inform a member not eligible to reenlist of the reasons, assign him or her the proper code and, except for members ineligible for physical disqualification, process the member under Article 1.B.5. of this Manual. This approximate time frame for the initial pre-discharge interview is not a performance probationary period for members considered ineligible to reenlist but rather allows enough time to properly process a member for separation, extension, or reenlistment. Under Article 1.B.5.a. of this Manual, the commanding officer may conduct this interview in less than six months' time before the member's enlistment expires.

#### **1.B.2.g. Reenlistment Codes**

Each member discharged from the Service is assigned one of the following reenlistment codes, as appropriate, per Reference (k), Certificate of Release or Discharge from Active Duty, DD Form 214, COMDTINST M1900.4 (series).

- (1) RE-1 Eligible for reenlistment.
- (2) RE-2 Ineligible for reenlistment due to retirement.
- (3) RE-3 Eligible for reenlistment except for a disqualifying factor.
- (4) RE-4 Not eligible for reenlistment.

#### **1.B.6. Physical Examination before Separation Applicability**

Before retirement, involuntary separation, or release from active duty (RELAD) into the Ready Reserve (SELRES or IRR), every enlisted member, except those discharged or retired for physical or mental disability, shall be given a complete physical examination in

accordance with Reference (d), Coast Guard Medical Manual, COMDTINST M6000.1 (series). Other members separating from the Coast Guard; e.g., discharge or transfer to standby reserve (non-drilling) may request a medical and dental screening. The examination results shall be recorded on Standard Form 88. To allow additional time to process enlisted members being discharged for enlistment expiration or being released from active duty, the physical examination shall be given at least six months before separation from active duty. All physical examinations for separations are good for 12 months. If the member is discharged for immediate reenlistment, the physical examination is not required. However, before discharge for immediate reenlistment, the commanding officer shall review the member's health record and require him or her to undergo a physical examination if evidence in the record or personal knowledge indicates a potential health problem.

### *Enlistments, Evaluations, and Advancements*

The Coast Guard Enlistments, Evaluations, and Advancements Manual, COMDTINST M1000.2C (January 2020), provides guidance on reenlistment eligibility. In relevant part:

**1.A.5. Eligibility for Reenlistment and/or Extension.** The Coast Guard offers reenlistments and/or extensions only to those members who consistently demonstrate the capability and willingness to maintain high professional standards, moral character, and an adherence to the Coast Guard's core values. To be eligible for reenlistment, or extension of enlistment, a member must receive a positive recommendation from their commanding officer in accordance with Article 1.E.1. of this Manual, and meet the eligibility criteria listed in Article 1.E.2. of this Manual. In addition, SELRES members, and IRR members on active duty, or approved to drill for points, must also meet the eligibility criteria listed in Article 1.E.3. of this Manual. Members who have eight or more years of total active duty and/or reserve military service that meet the eligibility criteria, but are not recommended for reenlistment by their commanding officer, are entitled to a reenlistment board, as outlined in reference (c), Military Separations, COMDTINST M1000.4 (series). However, members who do not meet the eligibility criteria are not entitled to a reenlistment board, even if they have eight or more years of total active and/or reserve military service. The procedures in Article 1.E.4. of this Manual shall be followed for members who do not meet the eligibility criteria.

1. Commanding Officer Recommendation.

- a. Each active duty, SELRES, and IRR member on active duty or approved to drill for points must be recommended by the officer effecting discharge to reenlist or extend. In making such recommendation, the officer effecting discharge should consider the member's overall performance, potential for continued service, and conduct during the current period of enlistment. If a member has received an unsatisfactory conduct mark, court-martial conviction(s), or NJP punishment(s), the officer effecting discharge should also consider how the severity and nature of the offense(s) impact the member's overall record of service during the current period of enlistment

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**1.E.2. Eligibility Criteria.** Each member must meet the basic eligibility requirements listed below during their current period of enlistment/reenlistment, including any extensions, unless an appeal is approved by Commander (CG PSC-EPM) or (CG PSC-RPM):

- e. Have no documented offense for which the maximum penalty for the offense, or closely related offense under the UCMJ and Manual for Courts-Martial, includes a punitive discharge during the current period of enlistment. Use the following guidance to assist.

(1) This criteria is aimed at serious offenses, analogous to those warranting the "Commission of a Serious Offense" basis for discharge identified in Reference (c), Military Separations, COMDTINST M1000.4 (series). Commission of a serious offense does not

require adjudication by non-judicial or judicial proceedings. In some circumstances, military justice action is precluded due to state or federal court proceedings, but a commanding officer may remain convinced that credible evidence establishes, by a preponderance of the evidence, that the member has committed a serious offense. In these circumstances, if warranted by the particular facts of the case, Commander (CG PSC-EPM) or (CG PSC-RPM), may determine that a serious offense has been committed, even without a judicial adjudication, and deny the member the opportunity to reenlist.

(2) An acquittal or finding of not guilty at a judicial proceeding or not holding nonjudicial punishment proceeding does not prohibit proceedings under this provision. However, the offense must be established by a preponderance of the evidence. Police reports, Coast Guard Investigative Service reports of investigation, etc., may be used to make the determination that a member committed a serious offense.

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#### **1.E.4. Members Not Eligible to Reenlistment.**

b. Commands must also submit a memorandum to Commander, (CG PSC-EPM-1) or (CG PSC-RPM-1) to discharge members who do not meet the eligibility criteria and are not recommended for reenlistment/extension by their commanding officer. The memorandum (with enclosures as required) shall contain sufficient facts to establish, by a preponderance of the evidence, that the member does not meet the eligibility criteria. The member shall be afforded the opportunity to submit a written statement for consideration by Commander (CG PSC-EPM-1) or Commander (CG PSC-RPM-1). (Emphasis added.)

c. Members who are discharged from the active or reserve component because they do not meet the eligibility criteria will be issued an RE-3 or RE-4 reentry code.

### **FINDINGS AND CONCLUSIONS**

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

1. The Board has jurisdiction over this matter under 10 U.S.C. § 1552(a) because the applicant is requesting correction of an alleged error or injustice in his Coast Guard military record. The Board finds that the applicant has exhausted his administrative remedies, as required by 33 C.F.R. § 52.13(b), because there is no other currently available forum or procedure provided by the Coast Guard for correcting the alleged error or injustice that the applicant has not already pursued.

2. This application is timely. The applicant promptly applied to the DRB for relief upon his discharge in 2020, and this relief was denied on January 22, 2024. This exhausted the applicant's other effective administrative remedies and conferred jurisdiction on this Board. He applied to us on April 7, 2025, which was within our three-year statute of limitations.

3. The applicant asks the Board to upgrade his character of service to Honorable because his original discharge under honorable conditions (general) was the product of "[u]ndue higher level command influence" and "imposed unnecessary and undue mental

trauma.” He further asserted that the DRB’s denial of his application “caused a relapse of traumatic events furthering major depressive disorder effects.” He also attaches the substance of his original request to the DRB, which the Board presumes he wants us to consider even though it is not referenced on his DD Form 149. This includes the applicant’s assertion that the command’s recommendations, his 14 years of “superior service,” and “equity and propriety factors” should have resulted in his receipt of an honorable discharge. It does not appear that he asserted his claims of undue command influence or mental trauma to the DRB as justification for a discharge upgrade.

4. The Board will first address the general propriety of the applicant’s discharge and character of service. The applicant was ineligible for reenlistment due to his conviction of two criminal offenses at a summary court-martial, at least one of which carried the possibility of a punitive discharge and was therefore “serious misconduct.”<sup>2</sup> His command at Sector Key West did not support his reenlistment, and was therefore required to – and did – submit a memorandum to Commander, Coast Guard PSC-EPM-1 to discharge him. The applicant was afforded an opportunity to submit a written statement for consideration by the separation authority and chose to do so.

5. The AO seems to admit that Coast Guard committed error in failing to properly prepare Administrative Remarks (Form CG-3307) stating “the specific reason” for the applicant’s discharge. The AO then argues that this error was harmless. The Board disagrees that this amounted to error. Coast Guard policy requires that when a General discharge may be issued, the specific basis for such discharge must be identified and documented on a CG-3307. COMDTINST 1000.4 Art. 1.B.2.f(1)(1) lists the eight specific bases that may be identified, one of which being misconduct. The CG-3307 issued by the Sector Commander to the applicant on January 6, 2020 clearly identified the basis for his ineligibility to reenlist and the basis for his separation: his conviction at a summary court-martial, which constitutes misconduct. There is no requirement in Coast Guard policy that the applicant be notified of the command’s recommendation to the PSC concerning characterization of service (e.g., Honorable or General), or the reasons for such a recommendation. We also disagree with the applicant’s assertion that because his DD 214 does not identify misconduct as the basis for separation, his CG-3307 was therefore inadequate. It is apparent from Coast Guard policy why respondents are required to be notified of the specific basis for their separation: so they know what is being considered and have the ability to respond in writing or effectively exercise other due process rights in the discharge process. Applicant was clearly on notice, and thus was able to exercise his rights. He does not contend otherwise.

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<sup>2</sup> The record presented by both the applicant and the Coast Guard is not specific as to which offenses under Article 92, UCMJ, the applicant was found guilty of. In particular, we do not know whether the applicant was found guilty of “willful” dereliction, or “through neglect, culpable inefficiency.” Only willful dereliction carries the possibility of a punitive discharge. Therefore, we do not know if both offenses charged carried the possibility of a punitive discharge.

6. The Board finds that there is no general error in the applicant's discharge. He was afforded the due process required by law and Coast Guard policy. Applicant was ineligible to reenlist, and recommended for discharge in a manner consistent with applicable Coast Guard issuances. We note that the Coast Guard could have involuntarily discharged the applicant pursuant to COMDTINST M1000.4 Art. 1.B, but elected not to do so. This decision likely gave the applicant more time to remain in the Coast Guard and transition to civilian life, as well as a more favorable narrative reason for separation on his DD 214.

7. The applicant contends that the issuance of a General discharge was unjust, considering his 14 years of "superior service" and favorable command recommendations. He makes several arguments in his response to the AO in this vein, such as an assertion that "special circumstances" apply that may have allowed him to receive an Honorable discharge, and that his final average marks warrant issuance of an honorable discharge. However, no provision of COMDTINST M1000.4 would *require* the Coast Guard to issue the applicant an Honorable discharge under any theory that the applicant asserts. The Board presumes that both the PSC when considering his discharge, and the DRB when reviewing it, had the benefit of reviewing the applicant's complete service record. The applicant does not submit any evidence of his own to augment that record, such as statements from coworkers, that would not have been available to the PSC or DRB. The applicant cites repeatedly to the favorable recommendations of his chain of command through both the investigation of his misconduct and his discharge process. However, he does not produce any evidence of such recommendations, other than the one-page memorandum from his commander to the PSC recommending an Honorable characterization of service. The Board notes the numerous positive entries in the applicant's record during the nearly 14 years of service he performed before the misconduct that resulted in his discharge. Given his relatively fast progression through the enlisted grades to E-8 in only 13 years, this is not surprising. The Board does not doubt that the applicant's performance of duty placed him among the very best of his peers.

8. However, a long and distinguished record does not excuse misconduct. The applicant was a 36-year-old, married senior Coast Guard leader who had been quickly advanced through positions of increasing responsibility. Inexplicably, he chose to engage in serious sexual and alcohol-related misconduct with an officer and two junior Coast Guard members. Regardless of how the Coast Guard chose to eventually charge and dispose of these allegations, the excerpts from the CGIS initial report contained in the applicants personnel record describe a course of conduct that is a breathtaking and egregious deviation from the expectations of a Chief Petty Officer.<sup>3</sup> In considering whether the PSC or DRB properly considered his record, the Board is not convinced that his service was or should be a significant mitigating factor. The Board finds it just as likely that the

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<sup>3</sup> To protect the privacy of the other parties, the opinion will not address the conduct in detail here. However, the Board notes that the applicant's sexual misconduct was supported by two eyewitness statements.

PSC, in consideration of his maturity, intelligence, and long history of service, may have viewed his misconduct in an even more serious light than if he had been a young, single junior Coast Guardsman. We note that applicant provides no extenuating or mitigating evidence beyond what is in his record and that has already been considered during his original discharge and by the DRB.

9. The applicant next asserts that he experienced “undue mental trauma” as a result of his discharge, and that the DRB decision caused a “relapse of traumatic events furthering major depressive disorder effects.” In support, he provides a “My Healthvet Personal Information Report” dated April 7, 2025, containing 21 pages of the applicant’s health information. It documents medication and treatment that the applicant has received for depression, and shows that he received a 70% disability rating from the VA for this condition. However, nothing in this report supports applicant’s assertion of “mental trauma.” The provider notes included in this report document only one doctor visit, which occurred on December 4, 2024, where the applicant claimed he was doing “okay, however have some good days and some bad days.” Without some evidence to support his claim, the Board cannot conclude that the applicant experienced “undue mental trauma” or a “relapse of traumatic events” related to his discharge. Even if the record supported such a finding, we are unsure how mental health challenges experienced after discharge would support a finding of error in this case. The Board routinely considers in-service mental health conditions as a significant mitigating or extenuating factor in an applicant’s erroneous or unjust discharge. But the applicant does not allege that his mental health condition contributed to his misconduct or rendered his separation improper. While he asks the Board for relief, he asserts no basis to find that his characterization of service is unjust in light of his post-service mental health history.

10. The Board will now address the applicant’s allegation that his separation was the result of undue influence by higher levels of command in the Coast Guard. He presents no evidence to support this assertion, but the Coast Guard’s review of his record produced an email exchange between an officer at the PSC and an officer who appeared to represent the applicant’s local chain of command at Sector Key West, Florida from February 2020. It appears that, upon PSC’s receipt of the commander’s initial recommendation for an Honorable discharge, they expressed some concern. This resulted in conversation between PSC and the local command, after which the Sector Commander changed his recommendation from an Honorable to a General Discharge.

11. Even assuming that this conversation did influence the Sector Commander to change his recommendation, the Board finds the applicant’s allegation unpersuasive for two reasons. First, the Commander, PSC-EPM-1 was designated by Coast Guard policy as the authority to determine applicant’s character of service. He could have directed an Honorable or General discharge regardless of the Sector Commander’s recommendation. The subordinate officials on the staff of these two commanders may have had any number of reasons to coordinate a consensus recommendation to the PSC-EPM-1 commander

concerning the applicant's discharge. We note that Coast Guard policy did not require the Sector Commander to provide a recommendation. The record does not support the assertion that the Commander, PSC-EPM-1's decision to separate applicant with a General discharge was the product of influence by anyone, improper or otherwise.

12. Second, the applicant does not articulate – nor is the Board aware of – any basis to find such influence “undue” or otherwise improper. We note that the concept of “undue influence” comes from Article 37, Uniform Code of Military Justice (UCMJ). Until the passage of the 2020 National Defense Authorization Act (NDAA) in December 2019, this article was entitled “Unlawfully influencing action of court.” After its amendment, it was entitled simply “Command influence.” However, neither version of the article applies to purely administrative actions that do not involve the disposition of criminal allegations by court-martial. The Board is not aware of any basis to determine what influence from a higher command would be “undue” or otherwise improper in the context of a purely administrative action, and the applicant does not assert any.

13. Finally, we note that nowhere in the record does the applicant take responsibility or apologize for his actions. Arguably, his plea of guilty at summary court-martial is some evidence of this. However, the Board notes that this plea was obtained with a pretrial agreement that secured for the applicant some form of consideration. In his response to the AO, the applicant – instead of providing evidence to support his claims – chooses to accuse the JA and PSC of “misleading,” a “pattern of misrepresentation,” “wanton misrepresentation,” “willful misrepresentation,” “ignorance of fact, incorrect assertions and negligent misrepresentation,” an “unrestrained abuse of discretion,” and a “pattern of prejudice.” This Board takes such allegations very seriously when they are supported by evidence, even if that evidence is only what is already contained in the applicant's service record. But no such evidence exists here. Instead, the record before us shows an applicant who clearly – by his own admission – committed criminal misconduct, but takes no responsibility for that misconduct and instead repeatedly and baselessly accuses Coast Guard officials of lying, incompetence, and bias against him. While not a basis to grant or deny relief, the applicant's unsupported accusatory statements provide useful context for the Board when determining what, if any, credible weight to give his allegations of error.

14. For the reasons outlined above, the applicant's request for relief is denied.

**(ORDER AND SIGNATURES ON NEXT PAGE)**

**ORDER**

The application of former MKC [REDACTED], USCG, is denied.

February 27, 2026

