

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2013-053

Discharge Issued

Character: Other Than Honorable Conditions

Narrative Reason: Triable by Court Martial

SPD/RE Code: KFS / RE4

Authority of Discharge: COMDTINST M1000.4. ART 1.A.1

Date of Separation: 2013-02-08

DRB Decision

Character: No Change

Narrative Reason: No Change

SPD/RE Code: No Change / No Change

New Authority: COMDTINST M1000.4 Art 1.B.20

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Triable By Court Martial due to disobeying direct orders, false official statements, and illegal use of a government fuel card.

The applicant was officially separated after signing a voluntary request for separation. The applicant's complete Personnel Data Record and Separation Package were available for the Board to review.

The applicant voluntarily requested a separation for 'The Good of the Service' vice in lieu of the Court Martial proceedings and punishment. Under this separation mechanism, the applicant can receive no higher than an Under Other Than Honorable discharge.

The Board finds no issues with propriety or equity in this case.

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant For Human Resources: An administrative change will be made to the Separation Authority to reflect the correct Article in the Military Separations Manual at the time of separation. The DD-214 was issued incorrectly with Article 1.A. 1.

Separation Authority: Amend to COMDTINST M1000.4, ART 1.B.20

All other items stand as issued. No relief.

In reviewing discharges, the Board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence (to include evidence submitted by the Applicant) to rebut the presumption.