

UNITED STATES COAST GUARD DISCHARGE REVIEW BOARD

Docket Number: 2013-061

Discharge Issued

Character: Honorable

Narrative Reason: Misconduct due to Fraudulent Enlistment

SPD/RE Code: JDA / RE4

Authority of Discharge: Article 12.B.18 PERSMAN

Date of Separation: 1999-12-17

DRB Decision

Character: No Change

Narrative Reason: Separation for Misc/General Reasons

SPD/RE Code: JND / RE3

New Authority: COMDTINST M1000.6 Art 12.B.12

Discharge Review Board Discussion and Decision:

DISCUSSION:

The applicant was discharged for Misconduct Due To Fraudulent Enlistment.

The applicant expressed the breakup of a failed marriage and caring for a newborn child as the primary reasons which created a hardship at that time. These life circumstances brought upon migraine headaches and uncontrollable stress. In the absence of any firm documentation to support a fraudulent enlistment, or the applicant's formal request for separation from the service, the Majority Board vote has recommended an alternate means to categorize the Narrative Reason for Separation.

Based upon available information, the majority board vote (3-2) recommends that the applicant should have been issued a separation for the convenience of the government as a result of parental responsibilities.

The Minority Board vote (2-3) recommends that no changes are made.

With regard to the Majority Vote to recommend a partial upgrade on the reentry code: An RE3 reentry code is not an affirmative recommendation for reenlistment, rather it represents that the applicant is not recommended for reenlistment due to a disqualifying factor. The RE3 code may be waived based upon the policies and needs of the gaining Service.

Propriety: Discharge was NOT proper.

Equity: Discharge was equitable.

Final Adjudication by Assistant Commandant For Human Resources: Partial relief is granted on the following items:

Discharge: No change

Authority : COMDTINST M1000.6A, Art 12.B.12

Separation Code: JND

Re-entry Code: RE-3

Narrative Reason: Separation for Miscellaneous/General Reasons

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.

