



**DRB DIGEST/EXECUTIVE SUMMARY
DRB DOCKET 2016-026**

NAME	SN/E-3
CURRENT DD-214	Other Than Honorable, COMDTINST M1000.4, ART 1-B-17, HKQ, Misconduct, RE4
RELIEF REQUESTED	Honorable or Under Honorable Conditions
RELIEF GRANTED BY DRB	None
ADMIN CORRECTIONS	None

TIS	5 yrs, 9 months, 1 day
Policy Implications	None

EXECUTIVE SUMMARY:

The applicant was discharged on March 23, 2015, with an Other Than Honorable discharge due to Misconduct specifically due to a Commission of a Serious Offense.

The applicant states he was falsely accused of sexual assault by his shipmate. He was previously punished under the UCMJ for this instance which did not include any sexual advances, only the guilty plea of unlawful entry in 2012.

Two years later, the same shipmate came forward as being a victim of sexual assault (from the applicant) within that same encounter.

The applicant was notified of the intent to discharge, and the applicant was advised of the right to an attorney. The applicant made a statement on their behalf. The applicant waived the right to an administrative separation board.

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

Propriety: Discharge was proper.

Equity: Discharge was equitable.

Board Conclusion: The Board voted 5-0 to recommend no relief.

Final Adjudication By Assistant Commandant for Human Resources: Concur with Board. No Relief.