



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No: 6600-16
DEC 07 2017

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 September 2017. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies.

You began a period of active duty in the Marine Corps on 4 November 1996. On 29 December 1997, you were notified that you were eligible but not recommended for promotion to the lance corporal for the month of January due to your assignment to remedial physical training. In the following months you were counseled on numerous occasions for failure to maintain weight standards and your advancement was not recommended due to never passing a physical readiness test while on weight control. On 5 October 1999, you were counseled for failing to appear at your appointed place of duty. A service record entry dated 2 November 1999 indicates that Gunnery Sergeant, [REDACTED] Company [REDACTED] Battalion found that during the five months you worked for him, your performance and attitude had declined. You were seen by Naval Medical Clinic [REDACTED] and on 16 November 1999, you were recommended for administrative separation due to unsuitability due to personality disorder. On 17 November 1999, you were counseled concerning your diagnosis of personality disorder and informed that if you were unable to overcome the disorder you could be administratively separated. On 3 December 1999, your Commanding Officer recommended that you be separated with a general characterization of service. On 16 December 1999, Commander, Marine Corps Base, [REDACTED] recommended that you be separated for the convenience of the government. On 22 December 1999, you were

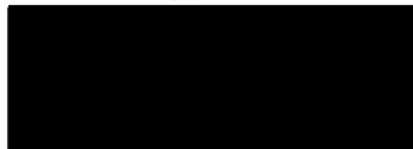
discharged from the Marine Corps with a general characterization of service, with a narrative reason for separation of "Personality Disorder," and a reentry (RE) code of RE-3P.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material or injustice. The Board considered your request for a change to your characterization of service from general to honorable. When making its determination, the Board considered your performance marks of 4.3/4.0, as well as your assertion that you are entitled to a honorable characterization of service because you were discharged due to medical reasons.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your contention that you are unable to qualify for veterans benefits given your general characterization of service. The Board reviewed the administrative discharge process and noted that because you had less than six years of service, your chain of command had the discretion to recommend either an honorable or general characterization of service and to process you for discharge without board proceedings. The Board noted that you were properly diagnosed by Medical prior to the discharge proceedings and that the 17 November 1999 counseling entry indicates that you were informed that you could face processing if you were not able to overcome the disorder and effectively function in a military environment. The Board determined that the administrative separation proceedings were properly executed and that the general characterization of service was issued based on your inability to perform to expected standards. The Board noted that your available records indicate that you were seen by Medical as early as 27 June 1997 for counseling, that you were given the support of your command to meet your expected physical readiness standards and that your Gunnery Sergeant was engaged in and aware of your performance challenges. The Board found that you were given the requisite support and opportunity to overcome your disorder and that the administrative separation process was properly applied to result in a general discharge. The Board found that you did not provide sufficient evidence to establish that the general characterization of service should be upgraded due to error or injustice. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director