



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

[REDACTED]  
Docket No. 4880-17  
NOV 13 2017

[REDACTED]  
Dea [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 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 case on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 October 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.

A review of your record shows that you entered active duty with the Marine Corps in January 1992 despite a medical evaluation that shows you suffered from moderate Pes Planus. You were later referred to a medical board and recommended for separation after your Pes Planus became symptomatic. You were discharged on 20 March 1992 with an uncharacterized entry level separation due to a disability that existed prior to entry.

The Board carefully considered your arguments that you deserve an honorable characterization of service based on your disability discharge. Unfortunately, the Board disagreed with your rationale for relief. According to MCO 1900.16, a Marine separated while in an entry level status shall receive an uncharacterized separation unless involved in misconduct or when the Secretary of the Navy determines an Honorable characterization is warranted due to unusual circumstances involving personal conduct and performance of military duty. Entry level status exists the first 180 days of active duty. The Board determined you were in an entry level status and could find no evidence indicating that you qualified for an honorable characterization of service based on unusual circumstances involving personal conduct or performance of duty. Therefore, the Board found no regulatory basis to grant you the Honorable characterization of service you request. The Board also determined that your assertion that someone informed you that you would receive an Honorable characterization of service was insufficient evidence of an

injustice to support a finding of relief. Accordingly, the Board was unable to find an error or injustice warranting a correction to your record and denied your application.

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