



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

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Docket No. 3756-24
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although you did not file your application 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, sitting in executive session, considered your application on 29 April 2024. The names and votes of the panel members 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 enlisted in the United States Marine Corps and commenced a period of active duty on 1 February 1983. On 20 June 1983, you reported to your first command, █, █, █, █. During the course of your service, you were found guilty at non-judicial punishment twice and at Summary Court Martial once, on charges related to violations of Uniform Code of Military Justice Article 86, for unauthorized absence, Article 92, for failure to obey an order, and Article 134, for wrongful use of marijuana. From 28 November 1983 to 7 February 1984, you were absent from your unit without authorization. On 9 March 1984, you were separated from the Marine Corps in lieu of trial by court martial due to your extended period of unauthorized absence and assigned an Other Than Honorable characterization of service and an RE-4 reentry code.

You previously applied to this Board for a discharge upgrade and were denied on 2 February 2012.

The Board carefully considered your contention that from 25 October 1983 to 28 October 1983, you participated in █ in █ thereby earning the Armed Forces

Expeditionary Service Medal and the National Defense Service Ribbon. Unfortunately, the Board could not grant relief due to lack of evidence. The Board thoroughly reviewed your record, to include your enlisted performance record, chronological unit record, record of time lost, and medical history. Nothing in your record indicates that you or your unit participated in Operation Urgent Fury. The Board noted that your service record was complete and otherwise details the circumstances of your service, to include your misconduct. Therefore, without substantiating documentation, the Board is unable to grant relief. Finally, the Board also concluded that, regardless of participation in Operation Urgent Fury, you are not qualified to receive the National Defense Service Ribbon, as the applicable dates of the award do not encompass your period of service. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of supporting evidence, as described above, which will require you to complete and submit a new DD Form 149. Supporting evidence (i.e. new matters) are those not previously presented to or 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,

5/17/2024

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