



that you could not complete your training was not the result of any fraudulent conduct on your part. You were discharged with an uncharacterized entry level separation on 26 February 1990.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire to change your discharge characterization of service and your contentions that your recruiter misled you about the work you would do in the Navy, you have never been afraid of heights, you were young, pregnant, and scared so you chose the option to go home, and you were recently told that your discharge reason appears as if you entered the military fraudulently. For purposes of clemency and equity consideration, the Board noted you did not provide documentation describing post-service accomplishments or advocacy letters.

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that there was no error in your discharge processing and that your narrative reason for separation accurately reflects the circumstances of your discharge. Specifically, your narrative reason, separation authority, and separation code appropriately indicate erroneous enlistment, not fraudulent enlistment. Erroneous enlistment is used when the deficiency was not known at the time of enlistment and your commanding officer made it clear that he did not believe you fraudulently entered service. Further, you were notified of your separation process within 180 days of the beginning of your period of active service. Applicable regulations authorize an uncharacterized entry level separation if the processing of an individual's separation begins within 180 days of the individual's entry on active service. While there are exceptions to policy in cases involving extraordinary performance or misconduct, the Board determined neither exception applied in your case.

Therefore, while the Board carefully considered the evidence you submitted in mitigation, even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. 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 new matters, which will require you to complete and submit a new DD Form 149. 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,

7/10/2024

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Executive Director

Signed by: ■