



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

██████████  
Docket No. 6216-24  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW NAVAL RECORD OF FORMER MEMBER ██████████, USN,  
XXX-XX-██████████

Ref: (a) 10 U.S.C. 1552  
(b) USECDEF Memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, a former enlisted member of the Marine Corps filed enclosure (1) with this Board requesting that his narrative reason for separation be changed. Enclosures (1) through (3) apply.

2. The Board, consisting of ██████████, ██████████, and ██████████, reviewed Petitioner's allegations of error and injustice on 17 July 2024 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, applicable statutes, regulations, and policies, to include reference (b).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute limitation and review the application on its merits.

c. Petitioner enlisted in the Navy on 11 April 2000. On 8 November 2002, he received non-judicial punishment (NJP) for failure to obey a lawful order, drunk and disorderly conduct, and underage drinking. On 9 May 2003, he received NJP for using provoking speech, disorderly conduct, and making a false official statement. Consequently, Petitioner was notified

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of pending administrative separation action by reason of misconduct due to a pattern of misconduct. Ultimately, the separation authority directed a GEN characterization of service by reason of misconduct due to a pattern of misconduct. On 2 June 2003, Petitioner was so discharged.

d. Petitioner contends his narrative reason for separation is hindering his ability to get employment. For purposes of clemency and equity consideration, the Board noted Petitioner provided a certificate of completion of a residential treatment program.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, and in light of reference (b), the Board concludes that Petitioner's request merits relief. The Board notes Petitioner's disciplinary infraction and does not condone his misconduct. However, the Board concluded, purely as a matter of injustice, it was appropriate to change Petitioner's Narrative Reason for Separation with associated changes to his SPD code and Separation Authority. In this regard, the Board noted that Petitioner's misconduct was relatively minor in nature and did not involve any aggravating factors such as violence or controlled substances.

Notwithstanding the recommended corrective action below, the Board concluded Petitioner's reentry code remains appropriate based on his record of misconduct and unsuitability for further military service. Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed with the recommended corrective action.

In view of the foregoing, the Board finds injustice warranting the following corrective action.

#### RECOMMENDATION:

That Petitioner be issued a new DD Form 214, for the period ending 2 June 2003, indicating his Narrative Reason for Separation as "Secretarial Authority," SPD code as "JFF," and separation authority as "MILPERSMAN 1910-164",

That no further changes be made to the record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

8/1/2024

