



change your reason for separation. You contend that: (1) you disclosed your injury prior to enlistment, (2) you were not hiding your injury and (3) you were cleared by MEPS. 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 these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that you were properly discharged for erroneous entry and assigned an uncharacterized entry-level separation based on your time in service. First, service regulations direct those members discharged within their first 180 days of active-duty service be assigned an uncharacterized entry level separation. While there are exceptions to this policy for misconduct or exceptional performance, the Board determined that neither apply in your case. Second, regardless of whether you informed MEPS of your prior history, the Board observed that you were later medically recommended for separation based on the Marine Corps' determination that you did not meet entrance physical requirements and erroneously allowed to enlist. Therefore, the Board determined erroneous entry was the proper basis for your administrative separation.

As a result, 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 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,

12/10/2024

