



Unfortunately, the documents pertinent to your administrative separation are not in your official military personnel file (OMPF). Notwithstanding, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. Your service record includes an administrative remarks (Page 13) entry that indicates you were separated on 7 September 1982 with a “General (Under Honorable Conditions)” (GEN) characterization of service, your narrative reason for separation is “Convenience of the government (failure to complete military training),” and your reentry code is “RE-4.”

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 you left your civil service job and informed your command that you could no longer drill because you had to return home to care for your mother. For purposes of clemency and equity consideration, the Board considered your statement and Associate in Arts degree certificate you provided.

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your failure to report for active-duty training or required drills, outweighed these mitigating factors. The Board noted you provided no evidence, other than your personal statement, to substantiate your contention that you notified your command of your new address. The Board determined that the record indicates your command was unaware of your departure and attempted to deliver your active-duty orders to your ■■■■■ address in January 1980. The Board further noted the Standard Form 50 you provided, that indicates you resigned from your civilian job in ■■■■■, was effective 9 May 1980, four months after you were ordered to active duty and eleven months after your last credited drill. Therefore, the Board was not persuaded by your contentions and determined you were appropriately processed and discharged for failing to complete your obligated service.

As a result, the Board concluded that significant negative aspects of your service outweighed the positive aspects and continues to warrant a GEN characterization. While the Board carefully considered the evidence you submitted in mitigation and commends your post-discharge accomplishments, 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. Ultimately, the Board concluded the mitigation evidence you provided was insufficient to outweigh the seriousness of your misconduct. 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,

12/13/2024

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Executive Director

Signed by: ■