



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

[REDACTED]  
Docket No. 9825-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
[REDACTED] USMC

Ref: (a) Title 10 U.S.C. §1552  
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 w/attachments  
(2) Case Summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board) requesting for an upgrade of his character of service and change his narrative reason for separation.

2. The Board, consisting of [REDACTED] and [REDACTED], reviewed Petitioner's allegations of error and injustice on 29 January 2025 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. Although Petitioner's application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider the case on its merits.

b. Petitioner enlisted in the Marine Corps and began a period of active duty on 14 April 1982. Petitioner subsequently completed this enlistment with an Honorable characterization of service on 12 April 1985 and immediately reenlisted.

c. On 9 March 1988, Petitioner was issued an administrative remarks (Page 11) counseling concerning deficiencies in his performance and conduct; specifically, failure to maintain weight standards.

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d. On 11 April 1988, Petitioner was issued a Page 11 noting that he was on track towards reaching his projected weight. Petitioner was informed that failure to reach and or maintain his weight could result in administrative discharge.

e. On 22 June 1988, Petitioner was removed from the weight control program. Petitioner was counseled and informed that his placement on the weight control program was his second placement in the program and if he fails to maintain the maximum weight of 219 pounds, he could be subject to administrative separation.

f. On 28 July 1989, Petitioner's commanding officer (CO) determined Petitioner's physical appearance did not meet acceptable Marine Corps standards and requested that Petitioner be given a medical evaluation. The medical officer determined Petitioner's physical appearance was not due to pathological disorder.

g. On 7 September 1989, the CO requested that Petitioner be administratively discharged. As part of the CO's recommendation, he stated in pertinent part:

Upon reporting to this command [Petitioner] was immediately identified as being grossly overweight. He was once again evaluated by medical doctor to ensure his weight gain was not due to a pathological disorder. On 28 July 1989, [Petitioner] was evaluated and found to be 254 pounds with a 27.6 percent body fat not due to a pathological disorder. In that [Petitioner] has been assigned to the weight control program twice previously and is once again grossly overweight, his administrative discharge is now mandatory in accordance with regulation.

h. Subsequently, Petitioner was notified that he was being recommended for administrative discharge from the Marine Corps by reason of unsatisfactory performance due to failure to conform to weight standards. Petitioner was advised of and waived his procedural right to consult with military counsel, and to present his case to an administrative discharge board.

i. Ultimately, the separation authority directed Petitioner's General (Under Honorable Conditions) (GEN) discharge from the Marine Corps by reason of unsatisfactory performance due to failure to conform to weight standards. Petitioner was so discharged on 17 October 1989.

j. Petitioner contends the following injustices warranting relief:

(1) He served and was honorably discharged for his first tour of duty. He was awarded several letters of commendation and was meritoriously promoted and passed his physical fitness tests (PFT).

(2) At the time of his separation, he was requesting to be released several months early so that he may be able to attend the Fall session of college.

(3) He accepted the option and, after being released early, he was able to attend school and achieve his degree. He has since had a very successful career, been married for 35 years, and raised two wonderful sons who are both gainfully employed.

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(4) He does not expect that he would need benefits; however, he would like to clear this detail of wording from his DD Form 214 for historical reasons and his own peace of mind.

k. For purposes of clemency and equity consideration, Petitioner provided a personal statement and post service certificate of accomplishment.

## CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants partial relief

The Board found no error with Petitioner's administrative separation for failing to meet weight control standards. However, after careful consideration of the policy established in reference (b), reviewing the record holistically, given the totality of the circumstances, and purely as a matter of clemency, the Board determined that describing Petitioner's current narrative reason for separation in this manner attaches a considerable negative and unnecessary stigma. Therefore, the Board concluded Petitioner's narrative reason for separation and separation code should be changed to reflect a Secretarial Authority discharge.

Notwithstanding the recommended corrective action below, the Board concluded Petitioner's assigned characterization of service remains appropriate. The Board considered all potentially mitigating factors but determined they were insufficient to warrant granting a change to his assigned characterization of service. In making this finding, the Board determined that the evidence of record did not demonstrate that Petitioner was not responsible for his conduct or that he should otherwise not be held accountable for his actions. The Board observed Petitioner was given ample opportunity to correct his weight control issues but chose not to address his weight problems; thus leading to his administrative discharge. As explained in the CO's recommendation letter, Petitioner became grossly overweight after his participation in the weight control program and his failure to maintain weight standards was inconsistent with the unit's "discipline and military effectiveness." Therefore, the Board determined his assigned characterization of service was supported by his record of service.

Ultimately, the Board concluded that any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

## RECOMMENDATION:

In view of the above, the Board recommends that the following corrective action be taken on Petitioner's naval record in the interests of justice:

That Petitioner be issued a new DD Form 214 reflecting that, for the period ending 17 October 1989, Petitioner's narrative reason for separation was "Determination of Service Secretary – Secretary of the Navy Plenary Authority," the SPD code assigned was "JFF1," and the separation authority was "MARCORSEPMAN PAR 6214."

That no further correction action be taken on Petitioner's naval record.

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

4. It is certified that 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 Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

2/24/2025

