



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

Docket No. 10129-24

Ref: Signature Date

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your 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 your application on its merits. A three-member panel of the Board, sitting in executive session, considered your reconsideration application on 13 December 2024. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the U.S. Navy and began a period of active duty service on 12 October 1999. On 21 January 2000, you reported for duty with the [REDACTED] in [REDACTED].

On 16 June 2000, you received non-judicial punishment (NJP) for an unauthorized absence (UA) and for possession of a false pass. You did not appeal your NJP. On 22 June 2000, your command issued you a "Page 13" retention warning (Page 13) documenting your NJP. The Page 13 expressly advised you that any further deficiencies in your performance, behavior, and/or conduct may result in disciplinary action and possible administrative separation.

On 30 November 2000, you received NJP for UA. You did not appeal your NJP. On 3 December 2000, your command issued you a Page 13 documenting your NJP. The Page 13 expressly advised you that any further deficiencies in your performance, behavior, and/or conduct may result in disciplinary action and possible administrative separation.

On 27 December 2000, you received NJP for UA. You did not appeal your NJP. On 11 January 2001, your command issued you a Page 13 documenting your NJP. The Page 13 expressly advised you that any further deficiencies in your performance, behavior, and/or conduct may result in disciplinary action and possible administrative separation.

However, on 16 January 2001, you commenced a period of UA that terminated on 10 September 2001. On 18 September 2001, you commenced yet another UA that terminated on 1 October 2001.

On 13 November 2001, you were convicted at a Summary Court-Martial (SCM) of your 237 and 18-day UAs. You were sentenced to confinement for thirty (30) days, forfeitures of pay, and a reduction in rank to Seaman Apprentice. However, the reduction in rank was suspended for a period of six (6) months. On 3 December 2001, the Convening Authority approved the SCM findings and sentence.

On 17 December 2001, your command notified you of administrative separation proceedings by reason of misconduct due to a pattern of misconduct and commission of a serious offense. On 18 December 2001, you waived in writing your rights to consult with counsel, to submit written statements, and to request an administrative separation board.

On 28 January 2002, the Separation Authority approved and directed your separation for misconduct due to a pattern of misconduct with an under Other Than Honorable conditions (OTH) discharge characterization. Ultimately, on 8 February 2002, you were separated from the Navy for misconduct with an OTH discharge characterization and were assigned an RE-4 reentry code.

On 8 December 2016, the Naval Discharge Review Board (NDRB) denied your initial discharge upgrade application. The NDRB determined that your discharge was proper as issued and no changes were warranted.

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 for a discharge upgrade and contentions that: (a) you served honorably for one year and seven months before your discharge, (b) you were an outstanding member and valuable asset of the United States Navy with unlimited potential, (c) you made an uncharacteristically bad decision as a young man, and due to this decision, you were discharged from the U.S. Navy, (d) you take full responsibility for your actions, (e) you blame nobody for your decisions in the service while you were overwhelmed with concern for your mother's health, (f) you were an immature young man who was mentally distressed, ignorant, and disgruntled, and (g) you have since dedicated your life to learning from those mistakes. Additionally, the Board noted you checked the "Other Mental Health" box on your

