



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

Docket No. 11935-24
Ref: Signature Date

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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 12 February 2025. 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 this 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 Marine Corps and began active duty on 26 November 1984. On 5 December 1984, you received administrative remarks (Page 11) counseling for failure to adapt to the Marine Corps environment. On 18 December 1984, you were diagnosed with adjustment disorder after you were seen in medical after reporting difficulty handling stress. On 19 December 1984, you received a Page 11 counseling for failure to adapt and were recommended for separation. Consequently, you were notified that you were being recommended for administrative discharge from the Marine Corps based on entry level performance and conduct. Ultimately, you were discharged with an uncharacterized entry level separation (ELS)¹ on 21 December 1984.

The Board carefully considered all potentially mitigating factors to determine whether the

¹ The Board noted in your application that you requested to “upgrade discharge to Honorable from General.” The Board found no evidence you were issued a General (Under Honorable Conditions) characterization of service.

interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire to upgrade your discharge character of service and contentions that you were unsure this was possible for the past 40 years. The Board also noted you checked the "Other Mental Health" box on your application but chose not to provide any evidence in support of your claim. For purposes of clemency and equity consideration, the Board noted that you did not provide supporting 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 assigned an uncharacterized ELS based on your time in service. 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. Finally, the Board found no error or injustice with the Marine Corps' decision to process you for administrative separation based on your diagnosis.

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,

3/12/2025

