



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

█  
Docket No. 0528-25  
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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 19 May 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).

On 13 December 2016, you enlisted in the U.S. Marine Corps Reserve (USMCR) for a term of eight years. After completing your initial active duty for training, you accrued 16 unexcused absences from your required reserve drills<sup>1</sup>. As a result, you were formally notified via certified mail of your commanding officer's intent to initiate administrative separation proceedings due to unsatisfactory participation in the Ready Reserve. This notification also informed you that you had 20 days from the date of delivery to your official address to review, sign, and return the letter of notification. Since you did not respond within the prescribed time frame, you waived your procedural right to present your case to an administrative discharge board. Accordingly, your commanding officer forwarded your administrative discharge package to the separation authority (SA) with a recommendation for discharge under Other Than Honorable (OTH) characterization of service adding,

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<sup>1</sup> Per RESPERSMAN 1570-010, the minimum duration of a paid regular Inactive Duty Training (IDT) period is four hours. Additionally, a maximum of two IDT periods may be performed in one calendar day. This means that a standard drill weekend typically consists of four IDT periods—two on Saturday and two on Sunday—totaling 16 hours of training. Therefore, missing one day of a drill weekend equates to missing two IDT periods.

“SNM has been unexcused from 16 regular schedule drills within the last 12 months. SNM hit his 9th UA on 20180412. This Marine’s current chain of command has made numerous attempts to contact and correct SNM’s status, there is no longer a reason to believe he has any potential for rehabilitation, and the continued pursuit of SNM would needlessly exhaust the unit’s valuable time. SNM has proven through his own action, or rather inactions, that he does not have the slightest regard for loyalty to the Marine Corps. I have reviewed SNM’s records; SNM has no combat service and has not been diagnosed with PTSD or TBI. SNM is exempt from medical evaluations requirement per MARADMIN 396/15...”

The separation authority concurred with this recommendation, and you were so discharged on 21 July 2018.

Post discharge you applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade. The NDRB denied your request, on 17 June 2020, after determining your discharge was proper as issued.

The Board carefully considered all potentially mitigating factors to determine whether the interest 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 and change your reentry code. You contend: (1) you believe this correction is warranted to allow you the opportunity to reenlist and complete your military service honorably, (2) your service was terminated due to a combination of unfortunate life circumstances and ineffective communication within your chain of command, and (3) you were involved in a serious motor vehicle accident that left you without transportation to a drill site located over 100 miles away. Although you were supposed to be granted lodging accommodations during drill weekends, such arrangements were never provided; which ultimately prevented you from attending or making up missed drills. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted solely of your petition without any other additional documentation.

After a thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your misconduct, as evidenced by your unauthorized absences, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of your misconduct and concluded it showed a complete disregard for military authority and regulations. Further, the Board noted you provided no evidence, other than your statement, to substantiate your contentions of unfair treatment. Therefore, the Board concluded your discharge was proper and equitable under standards of law and discipline and that the discharge accurately reflects your conduct during your period of service.

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 the 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 is attached 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,

5/29/2025

