



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

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Docket No. 1251-25
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to 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 application on 1 July 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 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).

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You entered active duty with the Navy on 3 April 1986. On 14 April 1986, you were counseled due to failing the reading test and completing the Academic Remedial Training (ART) Program. On 30 May 1986, you were counseled due to failing the LCPO statics course. On 4 June 1986, you were counseled due to failing the Selective Training and Reenlistment (STAR) phase of training, displaying no motivation, putting forth a better effort, and completing the Military Indoctrination Unit (MIU) Program. On 11 June 1986, you were counseled on your poor attention to detail, immaturity, up and down attitude, failing the MIU program, putting forth a better effort, and completing one tour of Intensive Training.

On 16 June 1986, you received a Recruit Evaluation Report that noted you had been in the MIU for 43 inspections but only passed 11. The report also noted you have difficulty paying attention to detail and recommended you for discharged. On 17 June 1986, you were formerly counseled on your failure to adapt to military services. Consequently, you were notified of pending administrative separation action by reason of entry level performance. After electing to waive your rights, your commanding officer forwarded your package to the separation authority (SA) recommending your discharge with a reason of entry level performance with an uncharacterized entry-level separation. The SA approved the recommendation and you were so discharged on 2 July 1986.

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 upgrade your discharge and contentions that you would like to receive veterans' benefits and your Post Traumatic Stress Disorder (PTSD) was due to stress. You also checked the "PTSD" box on your application but did not respond to the Board's request for supporting evidence of your claim. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted solely of your DD Form 149 without any other additional documentation.

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 entry-level separation based on your time in service. The Board noted that service regulations direct that members processed for separation within their first 180 days of active duty service are to be assigned an uncharacterized entry-level separation. While there are exceptions to this policy, the Board did not find any that apply in your case. Further, the Board noted you provided no evidence, other than your statement, to substantiate your contention of having PTSD. Finally, absent a material error or injustice, the Board declined to summarily upgrade a discharge solely for the purpose of facilitating veterans' benefits, or enhancing educational or employment opportunities.

As a result, the Board determined that there was no impropriety or inequity in your discharge and concluded that your performance clearly merited your discharge. 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,

7/17/2025

