



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

■  
Docket No. 1566-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF ■■■■■  
XXX XX ■■■■■ USMC

Ref: (a) 10 U.S.C. §1552  
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)  
(c) USECDEF Memo of 25 Aug 17 (Kurta Memo)  
(d) SECDEF Memo of 13 Sep 14 (Hagel Memo)

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record (excerpts)  
(4) Advisory Opinion of 17 Jun 25

1. Pursuant to the provisions of reference (a), Petitioner, a former member of the Marine Corps, filed enclosure (1) requesting his characterization of service be upgraded on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (3) apply.

2. The Board, consisting of ■■■■■, ■■■■■, and ■■■■■, reviewed Petitioner's allegations of error and injustice on 28 July 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, and applicable statutes, regulations, and policies, to include references (b) through (d). Additionally, the Board also considered enclosure (4), the advisory opinion (AO) furnished by qualified mental health provider. Although Petitioner was afforded an opportunity to submit a rebuttal, he chose not to do so.

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.

b. Although enclosure (1) was not filed in a timely manner, the statute of limitation was waived in accordance with the Kurta Memo.

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c. Petitioner enlisted in the Marine Corps after disclosing pre-service marijuana use and began a period of active service on 21 June 2000.

d. On 5 January 2001, Petitioner received a mental health evaluation for sleep change, decrease in concentration of energy, suicidal ideations and feelings of helplessness. Petitioner was prescribed Wellbutrin, which he stopped shortly thereafter, and Ambien. He was scheduled for follow-up appointments, which he attended. On 1 February 2001, Petitioner was diagnosed with Attention Deficit /Hyperactivity Disorder (ADHD) and Borderline Personality Disorder. The medical officer noted that Petitioner should be subject to fraudulent enlistment for failure to disclose his preexisting conditions; however, no discharge, disciplinary, or retention warning action was taken by the command. On 16 February 2001, Petitioner was evaluated by his Primary Care Manager as not dependent on alcohol. On 22 August 2001, Petitioner was arrested for driving under the influence (DUI) with a blood alcohol content (BAC) of .27. Petitioner subsequently deployed onboard the [REDACTED] in support of Operation Enduring Freedom (OEF) and returned from deployment on 18 April 2002. On 12 August 2002, Petitioner was treated in the Emergency Room for a suicide gesture and admitted to the Acute In-patient Unit for observation. Petitioner had a BAC of .23. On 19 August 2002 Petitioner was admitted to Level III in-patient substance abuse treatment. He was discharged from treatment, as an Alcohol Rehabilitation Failure, for continued violation of rehabilitation rules, lack of boundaries with female patients, and lack of investment in the program.

e. The documents pertinent to Petitioner's administrative separation are not in his official military personnel file (OMPF). Notwithstanding, the Board relied on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, presumed that they properly discharged their official duties. Based on the information contained on Petitioner's DD Form 214, he was separated, on 17 January 2003, with a "General (Under Honorable Conditions)" (GEN) characterization of service, narrative reason for separation of "Alcohol Rehabilitation Failure," reentry code of "RE-4," and separation code of "JPD1;" which corresponds to Alcohol Abuse Rehab Failure (admin discharge board not required).

f. Post-discharge, Petitioner applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade. The NDRB denied his request for an upgrade, on 26 March 2009, based on their determination that his discharge was proper as issued. The NDRB determined that the Marine Corps exhausted all responsible options in helping Petitioner and that the diagnosis of PTSD was not the sole reason of his behavior; as he had other mental health issues that existed prior to enlistment.

g. Petitioner contends he is currently rated 70 percent for service-connected disabilities of PTSD with Bipolar II disorder and that his conditions led to him using alcohol as a coping mechanism and suicide attempts. Petitioner contends he is currently sober since completing a Department of Veterans Affairs (VA) alcohol abuse program in 2024. Petitioner provided a VA benefits summary letter and VA statements of service-connected disabilities.

h. As part of the Board's review, the Board considered enclosure (4). The AO states in pertinent part:

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Petitioner contends he incurred Post Traumatic Stress Disorder (PTSD) and other mental health concerns during military service, which may have contributed to the circumstances of his separation from service.

Petitioner submitted evidence of mental health treatment with the Department of Veterans Affairs (VA) since 2003 and an April 2024 psychological evaluation listing diagnoses of Somatic Symptom Disorder, persistent, moderate; Generalized Anxiety Disorder; PTSD; Other Specified Depressive Disorder, depressive episodes with insufficient symptoms and short duration; Nicotine Dependence, mild; and Alcohol Dependence, mild. He has been granted service connection for PTSD with Bipolar II Disorder.

Petitioner was appropriately referred for psychological evaluation during his enlistment and properly evaluated on multiple occasions, including during an inpatient hospitalization. His personality disorder and substance use disorder diagnoses were based on observed behaviors and performance during his period of service, the information he chose to disclose, and the psychological evaluation performed by the mental health clinician. The Petitioner has received mental health treatment since his separation from service and has been granted service connection for PTSD and other mental health concerns. While it is probable that mental health symptoms existing prior to enlistment may have been exacerbated by deployment to [REDACTED], it is difficult to attribute his alcohol rehabilitation failure solely to untreated PTSD symptoms given his history of problematic alcohol use and minimizing symptoms prior to deployment.

The AO concluded, "There is in-service evidence of mental health concerns and post-service evidence from the VA of a diagnosis of PTSD that may be attributed to military service. There is insufficient evidence that his misconduct may be attributed solely to PTSD or other mental health concerns other than alcohol use or personality disorder."

## CONCLUSION

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

The Board noted Petitioner's misconduct and alcohol rehabilitation failure and does not condone his actions. However, the Board's decision is based on liberal consideration as defined in references (c) and (d). The Board was able to reasonably conclude that a mental health condition existed at the time of Petitioner's DUI and alcohol rehabilitation failure. Additionally, the Board considered Petitioner's post-service conduct under the guidance in reference (b). After carefully considering all the evidence, the Board felt that Petitioner's mental health condition should mitigate the misconduct he committed and his subsequent alcohol rehabilitation failure since the seriousness of his misconduct did not outweigh the mitigation evidence presented. The Board concludes that no useful purpose is served by continuing to characterize the Petitioner's service

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as having been General (Under Honorable Conditions), and re-characterization is now more appropriate.

Notwithstanding the recommended corrective action below, the Board was not willing to change Petitioner's reentry code. The Board determined Petitioner's reentry code remain appropriate based on his continued alcohol issues and his current diagnosed mental health conditions. Ultimately, the Board determined any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

#### RECOMMENDATION

That Petitioner be issued an Honorable Discharge Certificate and a new DD Form 214 indicating, for the period ending 17 January 2003, he was discharged with an "Honorable" characterization of service, separation authority of "MARCORSEPMAN 6214," separation code of "JFF1," and narrative reason for separation of "Secretary of the Navy Plenary Authority."

That no further changes be made to Petitioner's record.

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

4. It is certified that a 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 Regulation, 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.

8/13/2025

