



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

██████████  
Docket No. 2251-25  
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 case on its merits. Your current request has been carefully examined by a three-member panel of the Board, sitting in executive session on 3 June 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).

You enlisted in the Navy and commenced a period of active duty on 10 January 1963. On 8 March 1966, you received non-judicial punishment for a brief period of unauthorized absence. On 22 September 1966, you acknowledged you were not recommended for reenlistment due to below average performance. That same day, you were discharged at the expiration of your enlistment and assigned a General (Under Honorable Conditions) characterization of service.

Post-discharge, you applied to the Department of Defense Review Program and were approved for an upgrade of your characterization of service to Honorable. You subsequently applied to this Board for nonpayment of disability and severance pay and were denied on 13 January 2011.

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 compensation and contentions that you were given a General discharge so you would not get disability pay. You contend that you lost your father's trucking company and about \$60 million. You claim this left your mother and five siblings without no pay. You further contend that you were told you would be paid a onetime lump sum payment when your characterization of service was upgrade to Honorable. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted solely of your personal statement and your DD Form 149 without any additional documentation for the Board's consideration.

After thorough review, the Board concluded that your potentially mitigating factors were insufficient to warrant relief. The Board noted your discharge upgrade did not create any entitlements of pay. Finally, the Board noted you provided no evidence, other than your statement, to substantiate your contentions. Therefore, the Board found that there is no evidence of material error or injustice with your record. 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 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,

6/20/2025

