



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

■
Docket No. 4417-25
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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 22 September 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, 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).

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the Navy and began a period of active duty on 24 July 1973. Upon your enlistment, you admitted preservice arrest and charges for traffic violations. On 30 January 1974, you were evaluated by a medical officer as a result of increasing difficulty following orders and diagnosed with Immature Personality. Consequently, you were notified of the initiation of administrative separation proceedings by reason of character behavior disorder; at which point, you agreed with the type of separation. The separation authority approved and ordered a General (Under Honorable Conditions) (GEN) discharge characterization of service by reason of unsuitability. On the same date, you were so discharged. At the time of your discharge, your final trait average was 2.85.

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 a discharge upgrade and contentions that: (a) your wife abandoned you and left you to care for your two children, (b) your commanding officer understood and gave you a GEN discharge, and (c) you received meritorious promotions while in boot camp. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted of your DD Form 149 and DD Form 214 without any additional documentation.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your assigned GEN characterization of service remains appropriate in light of your overall trait average that did not qualify for an Honorable characterization of service. While the Board considered your mitigating contentions regarding the circumstances surrounding your administrative separation, contrary to your assertion, the Board noted you were discharged based on a diagnosed character disorder vice hardship. Finally, the Board also noted you provided no evidence, other than your statement, to substantiate your contentions.

Therefore, 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 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 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,

11/20/2025

