



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 character of service and contentions that your discharge was upgraded in August and you believe your DD Form 214 should be updated to reflect the change. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted of your DD Form 149, a copy of your DD Form 214, and a statement of service letter from the Department of Veterans Affairs (VA).

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your assigned uncharacterized ELS remains appropriate. Applicable regulations authorize an uncharacterized ELS if the processing of an individual's separation begins within 180 days of the individual's entry on active service. While there are exceptions to policy in cases involving misconduct or extraordinary performance, the Board determined neither exception applies in your case. Based on the record, you affirmatively acknowledged your rights during your administrative separation processing and were appropriately discharged based on a medical recommendation. Consequently, based on the lack of substantial evidence to the contrary, the Board determined the presumption of regularity applies in your case.

Furthermore, be advised the VA has the authority to recharacterized former servicemembers service for their purpose. The criteria used by the VA in determining former servicemembers character of service is different than that used by the Marine Corps when determining a member's discharge characterization of service.

As result, 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,

1/2/2026

