



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 change your narrative reason for separation. The Board considered your contentions that: (1) you have built a tremendous life for yourself and your family; however, you are still unduly burdened by your OTH discharge, (2) you recognize that you made a series of bad decisions by going UA, (3) you have learned from your mistakes and you are now a valuable member of your community, (4) you should not have to bear the burden of an OTH discharge for the rest of your life considering the turmoil you were experiencing at the time of your misconduct, (5) due to your roommate's misconduct, your command alleged that you were also smoking marijuana. You passed your urinalysis test and no evidence or testimony was received that demonstrated that you had ever wrongfully used or possessed any controlled substance, (6) your Gunnery Sergeant held a grudge against you and proactively attempted to end your career, (7) you sought guidance from the Chaplain and expressed your desire to be transferred to a different unit but your request was ignored and you felt trapped, (8) you made the conscious decision to go UA and, because of your periods of UA, you were charged with violation of Article 86 and Article 123a, (9) you apologize for your misconduct as a young Marine and understand that Marines are held to a high standard of personal conduct, (10) you are remorseful for your misconduct and have lived with the shame and embarrassment of your discharge for most of your life, (11) you have been improperly stigmatized and harmed by your OTH discharge, (12) you have been deprived of your honor and good name, which continues to cause you undue harm, and (13) you should not have to bear the burden of an OTH character of service for the rest of your life; especially considering the turmoil you were experiencing at the time of your misconduct. For purposes of clemency and equity consideration, the Board considered the totality of your application; which included your DD Form 149 and the evidence you provided in support of it.

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your NJP and SILT discharge, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of your misconduct and concluded that it showed a complete disregard of military authority and regulations. The Board observed you were given an opportunity to correct your conduct deficiencies but chose to continue to commit misconduct; which led to your OTH discharge. Your conduct not only showed a pattern of misconduct but was sufficiently pervasive and serious to negatively affect the good order and discipline of your command. The Board also noted that the misconduct that led to your request to be discharged in lieu of trial by court-martial was substantial and determined that you already received a large measure of clemency when the convening authority agreed to administratively separate you in lieu of trial by court-martial; thereby sparing you the stigma of a court-martial conviction and possible punitive discharge. Additionally, the Board determined that characterization under OTH conditions is generally warranted for serious misconduct and is appropriate when the basis for separation is the commission of an act or acts constituting a significant departure from the conduct expected of a servicemember. Therefore, the Board concluded the record reflected that your misconduct was intentional and willful and demonstrated that you were unfit for further service. Moreover, the Board noted that the evidence of record did not demonstrate that you were not mentally responsible for your conduct or that you should not otherwise be held accountable for your actions. Therefore, after the application of the standards and principles

contained in the Wilkie Memo, the Board found that your reason for separation and assigned characterization of service remain appropriate.

As a result, the Board determined that there was no impropriety or inequity in your discharge and concluded that your misconduct and disregard for good order and discipline clearly merited your discharge. While the Board commends your post-discharge accomplishments and carefully considered the evidence you submitted in mitigation, 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. Ultimately, the Board concluded the mitigation evidence you provided was insufficient to outweigh the seriousness of your misconduct. 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,

1/10/2026

