



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE RD  
ARLINGTON, VA 2220

█  
Docket No. 6093-25  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █, █,  
USN, XXX-XX-█

Ref: (a) 10 U.S.C. §1552  
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments  
(2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting an upgrade to his characterization of service on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) and (2) applies.

2. The Board consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 2 December 2025 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of his naval service records, and applicable statutes, regulations, and policies including reference (b).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Although enclosure (1) was not filed in a timely manner, the statute of limitation was waived in the interests of justice.

b. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

c. Petitioner enlisted in the Navy and began a period of active duty on 10 September 1991. On 11 September 1991, Petitioner was counseled concerning fraudulent entry as he failed to disclose preservice involvement in vandalism and theft. Petitioner was advised that further deficiencies may result in processing for administrative separation. After a period of continuous Honorable service, Petitioner immediately reenlisted and began a second period of active duty on 3 November 1995. On 23 March 2000, Petitioner received nonjudicial punishment (NJP) for wrongful use of a controlled substance-marijuana. Consequently, Petitioner was notified of the

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initiation of administrative separation proceedings by reason of misconduct due to drug abuse; at which point, he decided to waive his procedural rights. Petitioner's commanding officer recommended an Other Than Honorable (OTH) discharge characterization of service and the separation authority approved the recommendation. On 5 April 2000, Petitioner was so discharged. Upon his discharge, he was issued a DD Form 214 that did not annotate his period of continuous Honorable service from 10 September 1991 to 2 November 1995.

d. Petitioner believes his discharge characterization on his DD Form 214 is unjust and should be upgraded. He further believes that the quality of his service in the Navy was honest and faithful and the positive aspects of his conduct outweigh the negative aspects of his conduct that resulted in his separation. Petitioner contends, at the time of his discharge, he had just changed commands from [REDACTED] to the [REDACTED]. Petitioner had five years and seven months of continuous sea service. Petitioner asserts the [REDACTED] was gearing up for a six month deployment and the two year tour that Petitioner had just completed with [REDACTED] was considered arduous sea duty. Petitioner states he was unable to be with his wife when their son was born because he was on rotation to [REDACTED] from December 1998 to June 1999. Petitioner claims shortly after reporting to the [REDACTED], he made a very bad decision and used marijuana. Petitioner tested positive during random urinalysis and was ultimately separated with an OTH. Petitioner claims during his eight and a half years in service, he served proudly and his evaluations were outstanding. Petitioner also claims he received several awards for his dedication and performance. Petitioner states his civilian life has been very fulfilling and he became a welding instructor for the local school district. Over the years, Petitioner states he have taught young people a skill that has helped them to make a living and support their families. Petitioner asserts he was planning to retired from the Navy after 20 years; however, he was not able to do so due to his own bad judgement. Petitioner states he has no one to blame but himself.

#### CONCLUSION:

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

First, as discussed above, the Board found Petitioner's period of continuous Honorable service was not annotated on his DD Form 214 and requires correction.

Second, regarding Petitioner's request that his discharge be upgraded, the Board noted Petitioner's misconduct and does not condone his actions. However, in light of references (b), after reviewing the record holistically, given the totality of the circumstances, and purely as a matter of clemency, the Board concluded Petitioner's discharge characterization should be upgraded to "General (Under Honorable Conditions)." In making this finding, the Board favorably considered Petitioner's extensive post-discharge accomplishments after weighing it against his single incident of misconduct over a period spanning almost nine years.

Notwithstanding the recommended corrective action below, the Board was not willing to grant an upgrade to an Honorable discharge. The Board determined that an Honorable discharge was appropriate only if the member's service was otherwise so meritorious that any other

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characterization of service would be clearly inappropriate. Additionally, the Board determined Petitioner's narrative reason for separation, separation authority, separation code, and reentry code remain appropriate based on his drug abuse. Ultimately, the Board concluded that any injustice in Petitioner's record is adequately addressed by the recommended corrective action.

RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

Petitioner be issued a "Correction to Certificate of Release or Discharge from Active Duty" (DD Form 215), for the period ending 5 April 2000, indicating his character of service as "General (Under Honorable Conditions)" and with the following comment added to the Block 18 Remarks section:

"CONTINUOUS HONORABLE SERVICE FROM 10SEP1991 TO 2NOV1995."

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

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 Regulations, 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.

1/6/2026

[REDACTED]

Executive Director

Signed by: [REDACTED]