



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

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Docket No. 6864-25  
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 16 December 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).

You enlisted in the Navy and began a period of active duty on 2 October 1990. On 3 July 1991, you received nonjudicial punishment (NJP) for a period of unauthorized absence (UA) and missing ship's movement. On 5 July 1991, you were evaluated by a medical officer as a result of alcohol abuse and a DUI incident, and recommended to attend CAAC Level II treatment. On 16 July 1991, you were counseled concerning your previous UCMJ violations and advised that failure to take corrective action could result in administrative separation.

On 6 August 1991, you declined the opportunity to participate in Level II treatment for alcohol abuse. You were advised that your refusal to accept treatment or attend AA meetings may result in administrative separation and accepted treatment. On 26 August 1991, you were evaluated by a medical officer as a result poor participation while attending CAAC Level II. On 11 October 1991, you were counseled concerning alcohol abuse and requirement to attend CAAC Level II

treatment. You were advised that failure to take corrective action could result in administrative separation. On 22 March 1992, you received a second NJP for misbehavior as a lookout.

Consequently, you were notified of the initiation of administrative separation proceedings by reason of misconduct due to commission of a serious offense. After you decided to waive your rights, your commanding officer recommended an Other Than Honorable (OTH) discharge characterization of service. In his endorsement comments, he stated,

“SNM was given every opportunity to correct his deficiencies after 16 July 1991. By his own admission, SNM does not desire to bear requirements of strict adherence to Navy rules and regulations and without regard for classification has requested immediate separation from the U.S. Navy.”

The separation authority approved the recommendation and you were so discharged on 19 May 1992.

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 supervisor was upset with you the instant you arrived onboard the command, (b) you got a DUI as a result of being young and immature, (c) no matter how hard you worked, your supervisor would say that you could do better if you were not an alcoholic, (d) your supervisor exposed you to different ways of punishment, to include extra duty, made you hang an escape hatch while you were terrified of heights, and revoked your civilian clothes privileges, (e) your supervisor told you that you were not getting promoted for as long as he was around, (f) you started thinking about ways to get out as you were dealing with harassment from your supervisor, and (g) you became more distant and depressed. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted of your DD Form 149, DD Form 214, and your personal statement.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your NJPs and counselings, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of your misconduct and found that your conduct showed a complete disregard for military authority and regulations. The Board observed you were given multiple opportunities 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. Finally, the Board noted you provided no evidence, other than your statement, to substantiate your contentions.

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. 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,

1/14/2026

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Executive Director

Signed by: █