



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

██████████
Docket No. 7046-25
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 was 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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 15 April 2026. 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 this 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, and applicable statutes, regulations, and policies.

A review of your record shows that you enlisted in the Marine Corps and commenced active duty on 25 August 1999. On 13 November 2000, you were notified of the initiation of administrative separation processing due to a condition, not a mental or physical disability, and your rights in connection therewith, and you waived your right to submit a written statement. On 13 November 2000, your commanding officer recommended to the discharge authority that you be discharged due to a "Physical Condition Not a Disability." The commanding officer further explained that the "basis for this recommendation is the Medical Officer's Evaluations conducted on 8 September 2000, 11 September 2000 and 19 October 2000," as evidenced by enclosures to the letter. On 30 November 2000, the discharge authority, your commanding general, directed that you be discharged with a general characterization of service due to condition, not a mental or physical disability. On 8 December 2000, you were so discharged.

In 2016, you filed a petition with this Board seeking to have your general (under honorable conditions) characterization of service upgraded. On 30 June 2017, this Board concluded that you should have been awarded an honorable characterization of service based on your qualifying trait average for Professional and Conduct marks and the fact that the Board could not determine a basis for you receiving a general (under honorable conditions) characterization of service based

on your naval record. Thus, the Board granted you relief in the form of upgrading your characterization of service to honorable.

In your current petition, you requested to have your narrative reason separation changed to disability. In support of your request, you argued that you were discharged due to a disability, and that, due to a change in employment preference for veterans, you are being denied the preference because you did not serve a full term and the reason for your discharge is not listed as a disability. Rather, the narrative reason reflected on your Certificate of Release or Discharge (DD Form 214) states that your discharge was not due to a mental or physical disability. You provided a document from the Department of Veterans Affairs (VA) reflecting that you have an 80% service connected disability rating by the VA.

The Board carefully reviewed your application and the material that you provided in support of your petition, and disagreed with your rationale for relief. In reaching its decision, the Board observed that it applies a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. In its careful review of the entirety of the available records the Board determined that you provided insufficient evidence to overcome the presumption of regularity. In reaching its decision, the Board observed that you did not provide sufficient evidence to demonstrate that there was an error or injustice in your separation from service or in the notation of that separation provided on your DD Form 214. Thus, having reviewed your separation documents, it appeared to the Board that your basis and reason for separation is valid and not in error. The Board observed that you argued that your request for relief should be granted based on a desire for Veteran employment credit, and the Board considered that this did not appear to be a valid basis for changing the narrative reason for your separation, which according to your naval records, was based upon medical evidence and was accomplished after providing you all available due process. Accordingly, based on the foregoing, the Board denied your petition.

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,

5/5/2026

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