



directed your administrative discharge from the Navy. Prior to your administrative discharge, on 3 December 1992, you received a substance abuse evaluation which concluded that you were not drug dependent. You were so discharged on 9 December 1992.

The Board initially concluded you were appropriately processed for administrative separation based on your positive urinalysis. While the Board carefully considered your contention that you do not recall meeting with an attorney to discuss your right to an administrative discharge board, it noted that your record indicates you expressly waived your right to consult with an attorney and you also did not object to your separation. Further, the Board found that your OTH characterization of service was supported by your drug abuse.

The Board also considered the totality of the circumstances to determine whether equitable relief was warranted in the interests of justice in accordance with the Wilkie Memo. In this regard, the Board considered, amongst other factors, the totality of your service, to include your service highlights, the non-violent nature of your misconduct, your relative youth and immaturity at the time of your misconduct; your post-service record of accomplishments despite possessing an OTH characterization of service, your service to your community, the character references you provided for review, and the passage of time since your discharge.

The Board found that the mitigating factors were not nearly sufficient to justify any equitable relief. Specifically, the Board found that the severity of your misconduct far outweighed all of the mitigating factors combined. In particular, the Board determined that illegal drug use by a service member is contrary to military core values and policy, renders such members unfit for duty, and poses an unnecessary risk to the safety of their fellow service members. Further, the Board believed that it would be unjust to characterize your less than honorable service in the same manner as the service of the thousands of service members who, unlike you, honorably completed their enlistments without engaging in misconduct warranting the early curtailment of their service. Accordingly, the Board did not find an upgrade of your discharge to General (Under Honorable Conditions) or Honorable to be warranted in the interests of justice.

Thus, 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,

1/26/2026

