



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

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Docket No. 7412-25
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. 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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 13 January 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 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, and 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).

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the U.S. Navy Reserve and began a period of duty on 6 February 1987. On 23 September 1987, you completed your initial active duty for training and transferred to your Reserve unit. On 1 April 1991, you were issued a counseling warning that in the event you become unsatisfactory in your drill attendance your requirement to report for up to 24 months extended active duty has been changed to report for up to 45 days of additional active-duty training. On 12 March 1992, you were issued active-duty training (ADT) orders and directed to report, not later than 11 May 1992, for a period of 12 days. You failed to report for duty as ordered.

Consequently, on 26 June 1992, your Commanding Officer (CO) began the process of administrative separation that included sending you the notice of administrative processing, via certified mail return receipt, to your last known address. In the notification, the specific basis for the recommendation was your unsatisfactory participation in ready reserve based on your failure to report for ADT as ordered. After you failed to respond, the CO forwarded the documents to the Separation Authority (SA). After reviewing all the separation documents, the SA directed that you be discharged with an Other Than Honorable (OTH) characterization of service for unsatisfactory participation in ready reserve. You were so discharged on 4 August 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 was not limited, your request to upgrade your characterization of service and your contentions that you were commuting from school for your weekends, your last year was spent at a training center where you were doing absolutely nothing each weekend, you asked your CO if you could get out early with six months left, he stated "yes," you left with full communication with your CO, and you don't recall getting any separation paperwork. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted solely of your petition without any other additional documentation.

After thorough review, the Board concluded that your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your unexcused absence from ADT, 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 also considered that you failed to fulfill your contractual obligation to the Navy and that unexpectedly absenting yourself from your command placed an undue burden on your chain of command and fellow service members, and likely negatively impacted mission accomplishment. Further, the Board noted you provided no evidence, other than your statement, to substantiate your contentions. Contrary to your contention, the Board found it unlikely that your CO would allow you to abandon your contractual obligation to the Navy, assign you ADT orders, and subsequently process you for administrative separation for failing to report. Therefore, absent substantiate evidence to the contrary, the Board determined the presumption of regularity applied in your case.

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 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, _____

1/22/2026



Executive Director

Signed by: █