



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

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Docket No. 7685-25
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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 19 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, 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 Marine Corps and began active duty on 7 September 1977. On 3 October 1977, you received non-judicial punishment (NJP) for a disobeying a lawful order. On 26 October 1977, you received your second NJP for dereliction in duties. On 21 June 1979, you received your third NJP for a period of unauthorized absence (UA) that lasted approximately six days. Your final NJP took place, on 9 July 1979, for willfully disobeying a lawful order given by a non-commissioned officer. Consequently, you received an administrative remarks (Page 11) Counseling, informing you that you were not eligible or recommended for reenlistment due to excess NJP. Ultimately, you were discharged, on 21 September 1980, at the completion of your required active service with an Honorable characterization and reentry code of RE-4.

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 to upgrade your reentry code and be issued your Honorable discharge certificate. You contend that: (1) you were deployed to handle the █ upon completion in 1980, (2) you received an award after your deployment but not your Honorable discharged certificate, and (3) that charges were dropped, and (4) you are 66 years old, worked honorably all your years, and retired with 40 work credits. For purposes of clemency and equity consideration, the Board considered the totality of your application; which consisted solely of your DD Form 149.

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your assigned reentry code of RE-4 remains appropriate. 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 RE-4 reentry code. Based on your record of misconduct that included four NJPs, two that occurred within three months from the expiration of your active duty obligation, the Board determined you were unsuitable for continued military service and properly denied reenlistment.

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 your request does not merit relief.

Regarding your request to be issued the Honorable Discharge Certificate (DD Form 256), the Board noted you have not exhausted all administrative remedies prior to requesting relief from this Board. As such, please contact Headquarters, U.S. Marine Corps (HQMC) MMRP-21. HQMC may be reached at 703-784-9204 or email: smb.manpower.mmrp-10@usmc.mil.

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,

1/18/2026

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