



[REDACTED]

[REDACTED]

[REDACTED]

2. On 22 December 1964, you received non-judicial punishment (NJP) for eighteen hours of unauthorized absence (UA). Part of your punishment was suspended for a period of six months.

3. On 23 February 1965, you commenced a thirty-day period of UA, during which you missed ship's movement, that ended in your apprehension by civilian authorities. Upon your return, the suspension from your NJP was vacated.

4. On 26 April 1965, you were found guilty at Summary Court Martial of UA for the 30 days UA. You were sentenced to reduction in rank to E-1, forfeitures, and confinement.

5. On 6 May 1965, you were issued an administrative remarks (Page 11) counseling, indicating you were to be separated from the naval service with a General (Under Honorable Conditions) (GEN) discharge.

6. Unfortunately, the documents pertinent to your administrative separation are not in your official military personnel file (OMPF). Notwithstanding, the Board relies on 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. Based on the information contained on your Certificate of Release or Discharge from Active Duty (DD Form 214), you were separated on 14 May 1965 with a "General (Under Honorable Conditions)" characterization of service, your narrative reason for separation is "Convenience of the Government," your reentry code is "RE-4," and your separation code is "21B," which corresponds to convenience of the government.

In your application to this Board, you express a desire for your discharge character of service be upgraded and contend that:

1. Your ship hit a major storm going through ■■■■■, hit a 52 degree pitch while you were on starboard lookout and you felt like you were close enough to touch the water, so you did not return from post-deployment leave.

2. You suffered from PTSD and this is related to your request for relief.

3. Now you have nightmares of being a coward because of going absent without leave.

4. While you were absent without leave, your girlfriend (now wife) became pregnant, and you could not provide for her while in the service.

5. Your father told you that you would not amount to anything. But you believe your service should entitle you to be buried in a "military" cemetery.

6. You are ashamed and regretful of your actions.

After careful review, the Board reached the following conclusions and denied your application for relief.

The Board initially concluded you were appropriately processed for administrative separation based on your record of misconduct. The Board noted you admitted to committing the misconduct that formed the basis of your administrative separation and GEN discharge.

Therefore, the Board determined the presumption of regularity applies to your administrative separation and no error exists with your record.

However, because you raised the issue of mental health, the Board also applied liberal consideration to your claim that you suffered from a mental health condition, and to the effect that this condition may have had upon the conduct for which you were discharged in accordance with the Hagel and Kurta Memos. Applying such liberal consideration, the Board found insufficient evidence of a diagnosis of mental health condition that may be attributed to military service. This conclusion is supported by the fact you provided no medical evidence in support of your claim and chose not to respond to the Board's request for supporting evidence of your claim. Additionally, even applying liberal consideration, the Board found insufficient evidence to conclude that the misconduct for which you were discharged was excused or mitigated by your mental health condition. In this regard, the Board simply had insufficient information available upon which to make such a conclusion.

In addition to applying liberal consideration to your claim that you suffered from a mental health condition, and to the effect that this condition may have had upon the conduct for which you were discharged in accordance with the Hagel and Kurta Memos, 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, your desire for an upgrade to your characterization of service, your contentions, the totality of your service to include service highlights, your need for veterans' benefits, the non-violent nature of your misconduct, your relative youth and immaturity at the time of your misconduct, your claimed mental health issues, 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 found that your conduct showed a complete disregard for military authority and regulations. The Board observed you were given an opportunity to correct your conduct deficiencies but chose to continue to commit misconduct, which led to your GEN 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. Therefore, even taking into consideration all the mitigation factors in your case, the Board found that your misconduct while on active duty outweighed the mitigation evidence offered. In making this finding, the Board noted you provided no evidence, other than your statement and your DD Form 214, in support of your application. Further, absent a material error or injustice, the Board declined to summarily upgrade a discharge solely for the purpose of facilitating veterans' benefits, or enhancing educational or employment opportunities. While the Board considered your age and possible need for burial benefits, they determined the severity of your misconduct outweighed any mitigation resulting from those factors. The Board also noted that flawless service is not required to receive an Honorable characterization of service, the nature and gravity of your misconduct led them to conclude that your service was not Honorable. Moreover, 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. Finally, the Board determined you already received significant

clemency when you were separated with a GEN characterization of service despite possessing a record of misconduct that typically results in an Other Than Honorable characterization of service.

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,

4/13/2026

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Executive Director

Signed by: ■