



On 15 June 2007, you were granted permission to participate in the Permissive Recruiter's Assistance Program (PRASP) and participated between 3 July 2007 and 16 July 2007. You reported to the [REDACTED] for temporary duty under instruction on 18 July 2007. On 27 July 2007, your command received notification that your urine sample tested positive for Tetrahydrocannabinol (THC). On 7 August 2007, you received non-judicial

punishment (NJP) for wrongful use of marijuana. Additionally, you were issued administrative (Page 11) counseling informing you that you were being processed for administrative separation.

On 8 August 2007, you were notified of pending administrative separation processing with an Under Other Than Honorable conditions (OTH) discharge by reason of misconduct due to drug abuse. You waived your right to consult with counsel, make a statement, or have your case heard by an administrative discharge board (ADB). On 10 August 2007, you refused substance abuse screening. On 3 September 2007, the separation authority directed an OTH characterization of service and on 10 September 2007, you were so discharged.

Post-discharge, you applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade. The NDRB denied your request for an upgrade, on 28 January 2010, based on their determination that your discharge was proper as issued.

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 change your discharge characterization of service and your contentions that you chose to leave Marine Corps due to marital hardship, you were offered the opportunity to leave because you were being recycled through SOI due to a positive drug test, and that you were told you would receive a General (Under Honorable Conditions) (GEN) discharge. You also contend that you were not told of your processing for administrative discharge for misconduct and not given the opportunity to consult counsel, make a statement, or elect a discharge board. You further contend that you were forced to sign the paperwork and were told it was just NJP paperwork, and that you were not offered substance abuse screening prior to discharge. Additionally, you contend that your in-service professional conduct is evidenced by your receipt of the Marine Corps Good Conduct Medal (MCGCM). For purposes of clemency and equity consideration, the Board considered the personal statement, two advocacy letters, character reference, list of references, death certificate, and documents from your service record you provided.

After thorough review, the Board concluded your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that your misconduct, as evidenced by your NJP, outweighed these mitigating factors. In making this finding, the Board considered the seriousness of your misconduct and the fact it involved a drug offense. 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. The Board noted you did not deny committing the misconduct that formed the basis of your administrative separation and OTH discharge and admitted to the use of marijuana when questioned while in-service. Further, while the Board considered your allegations that you were denied due process as part of your administrative separation processing, the Board found documentary evidence to the contrary in your record. Additionally, the Board was not persuaded by your contentions you were promised a GEN characterization of service, denied substance abuse treatment, or earned the Good Conduct Medal during your brief period of active-duty service. Just as in your allegations of denial of due process, your record does not support your allegations and indicates you were offered, and refused, substance abuse screening. Your record also clearly shows you acknowledged that you could receive an OTH characterization of service

and that your commanding officer was recommending you receive an OTH. Further, the Board observed that you had just under six months of service and did not receive the Good Conduct Medal since you did not serve the minimum requisite time in service or have a record free of misconduct during your service. The Board noted that the "Good Conduct Medal Commences" date on your DD Form 214 indicates the date your Good Conduct Period commenced, i.e., restarted as a result of your NJP on that date, and does not indicate issuance of the award.

As a result, the Board concluded your conduct constituted a significant departure from that expected of a service member and continues to warrant an OTH characterization. While the Board carefully considered the evidence you submitted in mitigation, 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. Ultimately, the Board concluded the mitigation evidence you provided was insufficient to outweigh the seriousness of your misconduct. 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, _____

5/27/2026

