



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

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Docket No. 8895-25  
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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 2 March 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, 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).

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The following is the relevant factual background of your case based upon review of your naval record and/or the matters provided with your application:

1. You enlisted in the Navy and began a period of active duty on 20 July 1988. As part of your enlistment processing, you admitted preservice use of marijuana and traffic related violations, and received a waiver.

2. On 4 January 1989, you were evaluated by a medical officer as a result of your alcohol dependency. During the evaluation, you admitted to receiving pre-service treatment for alcoholism.

3. On 9 January 1989, you were notified of the initiation of administrative separation proceedings by reason of erroneous enlistment as evidence by your diagnosis of Alcohol Dependent<sup>1</sup>. Subsequently, your commanding officer recommended and approved an uncharacterized Entry Level Separation (ELS) by reason of erroneous enlistment. On 20 January 1989, you were so discharged.

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 preexisting alcohol dependence diagnosis. While the Board carefully considered your contention of error related to your assigned uncharacterized ELS, the Board noted you did not deny the diagnosis that formed the basis for your administrative separation for erroneous enlistment. Therefore, the Board determined the presumption of regularity applies to your administrative separation and no error exists with your separation.

The Board also found no error with your assigned uncharacterized ELS. Service regulations direct the assignment of an uncharacterized entry-level separation for service members *processed* for separation, as you were, within their first 180 days of active duty. As calculated by the Board, you were notified for administrative separation processing approximately 173 days after commencing active duty. Therefore, the Board determined your argument that you do not qualify for an ELS due to your 185 days of total active duty was not persuasive. Additionally, while there are exceptions to the ELS policy, the Board also found that none applied to you based on the circumstances of your separation.

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, desire for a upgrade to your characterization of service, your contentions, your post-service record of accomplishments, 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 determined that your assigned uncharacterized ELS remains appropriate. In reviewing the circumstances of your case, the Board was unable to discern any facts that were extraordinary or uniquely different from countless of other former service members who were discharged while in an ELS status. While the Board acknowledged your commendable post-service accomplishments and desire for a discharge upgrade, it determined the Navy's interest in maintaining consistency in its personnel system outweigh those mitigation factors.

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<sup>1</sup> This notification occurred approximately 173 days after you commenced active duty.

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 the 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,

3/19/2026

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Executive Director

Signed by: █