



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

██████████
Docket No. 10212-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████
██████████ XXX XX ██████████ USMC

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting a change to his reentry code. Enclosures (1) through (2) apply.

2. The Board, consisting of ██████████, ██████████ and ██████████, reviewed Petitioner's allegations of error and injustice on 10 March 2026 and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval service records, and applicable statutes, regulations, and policies to include reference (b).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, the statute of limitation was waived in the interests of justice.

c. Petitioner enlisted in the U.S Marine Corps and began a period of active duty on 17 April 2000.

d. On 20 April 2000, Petitioner was sent to Physical Conditioning Platoon (PCP) for failing the initial strength test.

e. Petitioner was counseled at basic training for his failure to pass the physical fitness test (PFT) and being an integrity violator when performing the PFT.

f. Consequently, the Petitioner was notified of administrative separation processing for entry level performance and conduct; specifically, Petitioner processed for displaying a lack of reasonable effort. Petitioner waived his procedural rights and the Commanding Officer (CO) made his recommendation to the Separation Authority (SA) that Petitioner be discharged with an uncharacterized characterization of service. The SA accepted the recommendation and Petitioner was so discharged on 15 December 2000. At the time of initiation of administrative separation processing, Petitioner's active duty service time exceeded 180 days.

g. Petitioner contended that he completed everything during basic training, except graduate, even though there were actors against him that prevented him from passing the PFT. Petitioner further contended that certain personnel were against him and witnessed of him passing the PFT.

CONCLUSION:

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants partial relief.

The Board determined an error exists with Petitioner's record that requires correction. Specifically, the Board noted that Petitioner served over 180 consecutive days on active duty and should have received a characterized discharge. In reviewing Petitioner's record, the Board found significant negative aspects of his service outweighed the positive aspects. This finding was based on his lack of effort in passing the PFT and his documented integrity violations. The Board was not persuaded by Petitioner's arguments regarding unfair treatment and noted he provided no evidence, other than his statement, to substantiate his allegations. Therefore, the Board determined Petitioner's record supports the assignment of a General (Under Honorable Conditions) characterization of service.

Notwithstanding the recommended corrective action below, the Board determined no further relief was warranted.

The Board initially concluded Petitioner was appropriately processed for administrative separation based on his record of poor performance. While the Board carefully considered Petitioner's contention that he completed all requirements for graduation from basic training, the Board noted his record indicates otherwise. In reviewing his record, the Board noted he was not recommended for retention based on his lack of effort and inability to pass the PFT. Additionally, he was assigned his reentry code based on his failure to graduate from basic training. Absent substantiation evidence to the contrary, the Board determined the presumption of regularity applies to Petitioner's administrative separation and his assigned reentry code. Therefore, other than the lack of an assigned characterization of service, the Board found no error exists with Petitioner's record.

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, Petitioner's desire to change his reentry code, his

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[REDACTED] XXX XX [REDACTED] USMC

contentions, his relative youth and immaturity at the time, the negative effect his discharge has had on his life, and the passage of time since his discharge.

The Board found that the mitigating factors were not nearly sufficient to justify any equitable relief. Specifically, the Board found Petitioner's poor performance far outweighed all of the mitigating factors combined. In particular, the Board considered the extensive efforts expended by basic training personnel in their attempts to assist Petitioner with his PFT performance. These efforts were meticulously documented in Petitioner's recruit information card and counseling statements. Therefore, even taking into consideration all the mitigation factors in Petitioner's case, the Board found that his overall poor performance outweighed the mitigation evidence offered. Ultimately, the Board concluded a change to Petitioner's reentry code or the assignment of an Honorable characterization of service is not warranted in the interests of justice.

RECOMMENDATION:

In view of the above, the Board recommends that the following corrective action be taken on Petitioner's naval record in the interests of justice:

That Petitioner be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) indicating that, for the period ending 15 December 2000, he was discharged with a "General (Under Honorable Conditions)" characterization of service. That all other information currently listed on Petitioner's DD Form 214 remains the same.

That no further correction action be taken on Petitioner's naval record.

That a copy of this record of proceedings be filed in Petitioner's naval record.

4. It is certified that quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

4/10/2026

[REDACTED]