



5. On 21 February 1984, you received your final NJP for the wrongful use of marijuana and two specifications of willfully disobeying a lawful order.

6. Consequently, you were notified of pending administrative separation proceedings by reason of misconduct due to a pattern of misconduct. You were informed that the least favorable characterization of service you may receive is under Other Than Honorable (OTH) conditions. After you waived your rights to consult with counsel and to request a hearing before an administrative discharge board, the commanding officer (CO) forwarded your administrative separation package to the separation authority (SA), recommending your administrative discharge from the Marine Corps with an OTH. The SA approved the CO's recommendation and you were so discharged on 20 April 1984.

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. While the Board carefully considered your contention for mitigation, the Board noted you did not deny committing the misconduct that formed the basis for your administrative separation and OTH discharge. Therefore, the Board determined the presumption of regularity applies to your administrative separation and no error exists with your 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, your contentions, the totality of your service, the non-violent nature of your misconduct, your relative youth and immaturity at the time of your misconduct, your rehabilitation efforts, your post-service record of accomplishments, your candor and remorse, your service to your community, your advanced age, 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 found that the severity of your misconduct far outweighed all of the mitigating factors combined. In particular, 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. Further, the Board 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 OTH 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 your youth and immaturity, your acceptance of responsibility and remorse, and your post-service good character and accomplishments, the Board found that your multiple instances of UA and orders violations, and your wrongful use of a controlled substance while on active duty outweighed the mitigation evidence offered. While the Board commends you for your post-service accomplishments and appreciates your genuine acceptance of responsibility, 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 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,

3/18/2026

