



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

Docket No. 0203-26
Ref: Signature Date

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 11 May 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, and 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).¹

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:

- You began active duty on 31 May 1978.
- On 5 September 1978, you were counseled on an adverse evaluation and receiving trait marks of 2.8 in military behavior and 2.6 in military appearance. Administrative remarks indicate these marks were issued due to your actions as a disoriented and extremely immature individual who required constant guidance.
- On 15 December 1978, you were again counseled after being assigned marks of 1.0 in professional performance, 2.6 in military behavior, 1.0 in military appearance, and 2.6 in

¹ The Board noted you checked the "DADT" box on your application but your application did not discuss any DADT issues and your record does not indicate you were discharged under the DADT or similar policy. Therefore, the Board did not consider your application under the guidance provided in the Stanley memo.

adaptability. The remarks indicate you were assigned these marks based on your undependability and requirement to be constantly monitored, being physically and mentally inept, your inability to perform rudimentary tasks, and the fact you required constant reminders to wash and press your uniforms.

- On 18 December 1978, you were notified of administrative separation processing due to unsuitability based on your poor performance. After you acknowledged and waived your procedural rights, you were discharged with a General (Under Honorable Conditions) (GEN) characterization of service by reason of convenience of the government due to unsuitability on 22 December 1978. Your final overall trait average was 2.0 and you were assigned a RE-4 reentry code based on your non-recommendation for reenlistment.

In your application to this Board, you request an upgrade to your characterization of service as well as changes to your narrative reason for separation and reenlistment code.² You contend that you would like to get housing via the military in Florida in order for you to be close to your elderly father.

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

The Board initially concluded you were appropriately processed for separation based upon your documented performance deficiencies and inability to adapt to the military environment. The Board also noted you did not dispute your assigned trait marks. Therefore, the Board determined the presumption of regularity applies to your GEN discharge, reason for separation, and reentry code, 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 your contentions, your desire for veterans' benefits, the totality of your service, 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 your overall poor performance during your brief period of active duty far outweighed all of the mitigating factors combined. In particular, the Board was taken aback by your complete inability to adapt to the military environment and apparent unwillingness to change your behavior. 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. Finally, 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 poor performance and behavior warranting the early curtailment of their service.

Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

² You also discuss the changing of your name but did not request a change to your DD Form 214, provide any evidence of a legal name change, or explain why an injustice exists in your record. Therefore, the Board did not address the issue of your name change as part of your application adjudication.

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 is attached 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,

5/26/2026

