



[REDACTED]

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. 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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 4 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).

- You enlisted in the Marine Corps Reserve and began a period of active duty on 3 February 2020. On 19 June 2020, you were counseled regarding your MOS assignment as a 0627 while attending the School of Infantry. After completing your initial active duty obligation, you were released from active duty and subsequently joined the Selected Marine Corps Reserve (SMCR).

- Between April 2021 and July 2021, you failed to attend annual training and multiple scheduled drill periods. Your command attempted to reach you multiple times telephonically and through certified mail but were unsuccessful.

- In the meantime, on 18 June 2021, notification of administrative separation proceedings due to unsatisfactory participation was mailed to your known address by certified mail. Based

on your failure to respond to the notification, you waived your procedural rights associated with your administrative separation processing.

- On 29 November 2021, the separation authority approved your discharge under Other Than Honorable (OTH) conditions by reason of unsatisfactory performance with an RE-4 reenlistment code. You were so discharged that same day.

- Post-service, you applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade and change to your reentry code. The NDRB denied your application, on 3 March 2020, after determining your discharge was proper as issued.

In your application to this Board, you express a desire for your discharge character of service be upgraded and your reentry code be changed. You contend that:

- Your current characterization of service is disproportionate to the nature of your service.
- You were misled by your recruiter regarding MOS eligibility and initially contracted for MOS 5813 but later reclassified to MOS 0627.
- This change in your MOS discouraged you and led to your missed drills. However, you had no other misconduct in your record and no non-judicial punishments or courts-martial.
- Since your discharge, you have successfully completed higher education, maintained steady employment, and earned professional certifications.

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. The Board noted you admitted to committing the misconduct that formed the basis of your administrative separation and OTH discharge. Therefore, the Board determined the presumption of regularity applies to your OTH discharge 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 desire for an upgrade to your characterization of service and change to your reentry code, your contentions, the totality of your service to include service highlights, 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, the evidence you provided in support of your application, 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, your repeated failures to attend required annual

training and drill periods likely negatively affected the good order and discipline of your unit. The Board also was not persuaded by your mitigation arguments regarding your change in MOS. The Board noted the circumstances of your case is not significantly different from countless of other Marines who similar had their MOS changed but completed their contracted obligation to serve. Therefore, even taking into consideration all the mitigation factors in your case, the Board found that your misconduct outweighed the mitigation evidence offered. In making this finding, the Board was not persuaded by your argument that your record did not contain any NJPs or courts-martial and noted that this was likely because you never returned to duty in order to be held responsible for your misconduct. While the Board commends you for your post-service accomplishments and acknowledged your rehabilitation efforts, ultimately, the Board concluded an upgrade of your discharge characterization of service is not warranted in the interests of justice. Based on the same rationale, the Board found that a change to your reentry code is also not warranted in the interests of justice.

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,

5/22/2026

