

Winston & Strawn Secures Honorable Discharge for Veteran Who Self-Medicated for PTSD

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Winston & Strawn attorneys helped a United States Marine Corps veteran, who had three traumatic brain injuries (TBIs) and suffers from post-traumatic stress disorder (PTSD) and was discharged for self-medicating with illegal drugs, to upgrade his other than honorable discharge to honorable—the highest category.

Our client joined the Marines in 2007 at the age of 18 and was deployed to an active combat zone as part of Operation Iraqi Freedom. While deployed, he sustained successive blast injuries that included concussions, loss of hearing, and loss of vision and led to ongoing migraine headaches, depression, anxiety, a speech impediment, and numerous musculoskeletal issues. While on leave, he was discharged in lieu of a court-martial after he was arrested for possessing illegal drugs that he was using to self-medicate his combat-related symptoms. Given his well-documented injuries and PTSD, he applied for a discharge upgrade pro se but was denied.

In 2020, Winston & Strawn stepped in and drafted a renewed memorandum in support of his discharge upgrade. Following oral arguments presented by Washington, D.C. Associate in 2022, the Naval Discharge Review Board (NDRB) found that our client's discharge was proper but not equitable. Citing his "heroic actions in combat, his personal sacrifice, and his significant diagnosis of PTSD and TBI," the NDRB found that his condition of discharge "should reflect in its entirety, honorable service to our nation."

"As is the case for all Americans, veterans like my client deserve a fair shake in a system that can be difficult to navigate. Winston's unwavering support for pro bono work like this not only changed my client's life but goes a long way to ensuring that the system works as it should. I am thrilled to have been able to do my part," said Garrett.

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