

Winston Achieves Full Military Discharge Upgrade for An Honorable Navy Veteran

DECEMBER 12, 2022

Following five-plus years of exemplary service in the United States Navy, our client accidentally ate a marijuana-infused brownie at a holiday party while he was on leave in a state where recreational use of marijuana is legal. This was the first and only time that our client had ever ingested marijuana or used any controlled substance.

After returning to his Command, our client was subjected to a random drug test, which detected the marijuana he had accidentally consumed. He was then summarily discharged from the Navy with his service characterized as “Under Other Than Honorable Conditions” for “Misconduct (Drug Abuse).”

Our client’s “Other Than Honorable” discharge status made him ineligible for Veterans Administration benefits and the GI Bill. It also hindered his ability to secure employment commensurate with his skills and abilities. However, through hard work and his dedication to providing for his family, he has received several promotions over seven years and worked his way from an entry-level position as a Service Technician to a Critical Facilities Project Engineer.

Winston & Strawn collaborated with the National Veterans Legal Services Program to help our client petition the Naval Discharge Review Board for a reconsideration and upgrade of his discharge status and a personal appearance before the Board. On August 29, 2022, our client appeared before the Naval Review Board, which subsequently granted him a full discharge upgrade to Honorable and changed the reason for his separation from Misconduct to Secretarial Authority.

With his upgraded Naval discharge characterization, our client now has access to the GI Bill and intends to pursue a college degree in environmental engineering to better provide for his spouse and one-year-old son.

Washington, D.C. Associate David Houck, with oversight from Partner Cari Stinebower, achieved this positive and life-changing result for our client.

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