

United States Marine Suffering from PTSD Receives Military Discharge Upgrade

JUNE 18, 2024

Our client enlisted in the Marine Corps at the age of 20 and was deployed to Afghanistan as part of Operation Enduring Freedom. During his deployment, he was recognized as an exemplary Marine. However, he suffered several significant and traumatic events including the suicide of a close friend and witnessing child abuse and prisoners being tortured. As a result, he developed debilitating PTSD, including nightmares, flashbacks, and difficulty sleeping.

He self-medicated with alcohol, which led to him receiving two Non-Judicial Punishments. At this point, he entered treatment, and multiple military doctors diagnosed him as suffering from severe PTSD and recommended continued treatment and a medical separation from the Marines. Instead, his command chose to separate him with an Other Than Honorable discharge in 2015.

In 2018, Winston submitted a detailed application seeking an upgrade of his discharge characterization, which was denied in 2019 by the Naval Discharge Board. Undaunted, Winston spent several years compiling additional evidence to demonstrate that our client's PTSD was the clear driver of his alcohol use. Winston engaged an expert on PTSD in servicemembers to provide an independent opinion regarding the connection between our client's PTSD and alcohol use. Winston also tracked down the original military doctors who had diagnosed his PTSD and secured letters confirming our client's conduct was connected to PTSD. In early 2024, Winston submitted this additional evidence along with an application for reconsideration.

On the day after Memorial Day, the Naval Discharge Review Board upgraded our client's discharge to Honorable. As a result, our client is now able to access benefits he earned through years of meritorious service to our country but had been denied due to his original discharge status. In addition, our client may now be eligible for a medical retirement, and Winston continues to represent him as he seeks this benefit.

Charlotte associate **Patrick Doerr** represented our client in his successful quest to upgrade his military discharge. He worked in collaboration with Ryan Pavel, a former Winston associate and CEO of the Warrior-Scholar Project.

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