



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TJR

Docket No: 6946-98

23 March 1999

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 March 1999. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Naval Reserve on 28 September 1988 at the age of 18. Your record reflects that on 29 December 1988 you received nonjudicial punishment (NJP) for a two day period of unauthorized absence (UA). The punishment imposed was restriction and extra duty for 10 days and forfeitures totalling \$150.

Your record further reflects that on 27 October 1989 you were convicted by summary court-martial (SCM) of a 28 day period of UA and missing the movement of your ship. You were sentenced to confinement for 25 days, forfeitures totalling \$220 and reduction to paygrade E-1. Shortly thereafter, on 4 December 1989, you received a general discharge by reason of convenience of the government due to a personality disorder. At this time you were assigned an RE-4 reenlistment code.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.0. An average

of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity and your contention that would like your discharge upgraded to honorable and your reenlistment code changed. The Board further considered the letters of character reference. However, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge or a change of your reenlistment code given the seriousness of your misconduct, and since your conduct average was insufficiently high to warrant an honorable discharge. Given all the circumstances in your case the Board concluded your discharge and reenlistment code were proper as issued and no change is warranted. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director