



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TRG  
Docket No: 1684-01  
3 August 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the 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 31 July 2001. 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Naval Reserve on 3 December 1980 at age 20 and reported for initial training that same day. On 25 March 1981 you received nonjudicial punishment for disrespect, disobedience and assault. You were released from active duty on 28 March 1981 with your service characterized as honorable. You reported for an extended period of active duty on 3 August 1982. During the period 6 January 1983 to 14 April 1983 you received nonjudicial punishment on four occasions. Your offenses were two instances of disobedience, dereliction of duty, an unauthorized absence of about nine hours, and assault.

Based on your record of misconduct you were processed for an administrative discharge by reason of misconduct. In connection with this processing, you elected to waive your right to have your case heard by an administrative discharge board. On 25 May 1983 the discharge authority approved the recommendation of your commanding officer that you be discharged for misconduct with a discharge under other than honorable conditions. You were so discharged on 6 June 1983.

In its review of your application the Board carefully weighed all

potentially mitigating factors, such as your youth and your regret for your actions in 1983. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your extensive record of misconduct. The Board concluded that the discharge was 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