



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

JRE

Docket No: 795-02

6 September 2002

[REDACTED]

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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 22 August 2002. 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.

The Board found that you reenlisted in the Naval Reserve on 7 June 1985. You were discharged by reason of misconduct on 21 September 1990, while in an unauthorized absence status, with a discharge under other than honorable conditions. That characterization was based on your extensive disciplinary record, which included repeated absences without authority, missing the movement of vessels on numerous occasions, and dereliction of duty. In addition, the Board noted that your service during that enlistment, apart from your disciplinary problems, was substandard. Although you suffered from a number of physical and psychological complaints during your enlistment, none of them rendered you unfit for duty, or significantly extenuated or mitigated your repeated acts of misconduct. In the absence of evidence which demonstrates that your discharge by reason of misconduct was erroneous or unjust, and establishes that you were unfit to perform your duties by reason of physical disability, the Board was unable to recommend any corrective action in your case. 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