



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

JRE  
Docket No: 914-01  
7 January 2002

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 3 January 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 were separated from the Navy on 18 March 1960, with a general discharge, by reason of unfitness/frequent incidents of a discreditable nature with civilian or military authorities. The discharge was specifically based on your record of two nonjudicial punishments, a conviction by special court-martial, and a conviction by civil authorities of auto theft. The Board noted that your discharge precluded your referral to the Disability Evaluation System for evaluation of the loss of use of your right arm and a determination of your fitness for further service. It also noted that as your arm condition was incurred while you were absent without authority, and not in the line of duty, you would not have been eligible for disability benefits administered by the Department of the Navy in any event.

In the absence of evidence which demonstrates that your discharge was erroneous or unjust, 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