

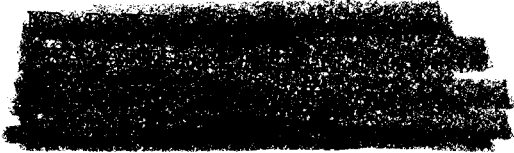


DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE

Docket No. 03896-07

6 May 2008



This is in reference to your request for further consideration of 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 1 May 2008. 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. In this connection, the Board affirmed the findings it made on 2 August 2005, which are as state in the enclosed letter dated 9 August 2005.

The new evidence you submitted in support of your request for further consideration of your application is a statement from a psychologist dated 24 February 2007. The psychologist is of the

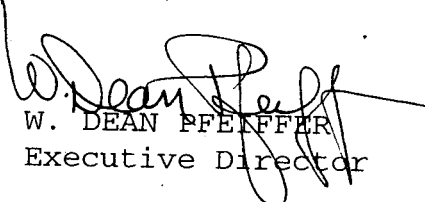
opinion that you may have been suffering from posttraumatic stress disorder in 1969, which "may have explained some of [your] bizarre behavior at the time."

The Board was not persuaded that there is any connection between your alleged mental disorder and the commission of the robbery which resulted in your conviction by civil authorities and sentence to confinement for a period of imprisonment of six to ten years. It concluded that the new evidence is insufficient to warrant upgrading your undesirable discharge to general or honorable, or to change the basis for your discharge.

In view of the foregoing, 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