



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

CRS  
Docket No: 5289-07  
1 February 2008

[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 16 January 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.

The Board found that you enlisted in the Navy on 21 September 1989. You received nonjudicial punishments on two occasions, for the use of marijuana and desertion.

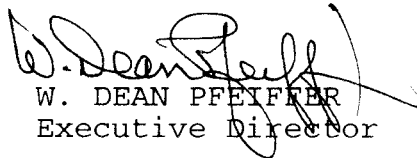
On 28 March 1991 an administrative discharge board (ADB) recommended that you be separated from the Navy with a discharge under other than honorable conditions by reason of misconduct due to drug abuse. After review by the discharge authority, the recommendation for separation was approved and on 4 October 1991 you were separated with a discharge under other than honorable conditions.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as the positive evaluations you received during periods before and after the ADB convened, and the unsubstantiated contention that members of the ADB were not impartial, but concluded that those factors were insufficient to demonstrate that you were improperly discharged, or to warrant recharacterization of your service. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

Your request for correction of your DD Form to show that you received the Kuwait Liberation Medal is administrative in nature and should be directed to the Navy Personnel Command, Attn: Pers 313E, Room 5409, 9700 Page Blvd., St. Louis, MO 63132.

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