



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

TRG  
Docket No: 9533-07  
25 June 2008

[REDACTED]

[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 17 June 2005. 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 Navy on 22 April 1987 at age 19. On 1 and 29 September 1987 you received nonjudicial punishment (NJP) for disobedience and two short periods of unauthorized absence. On 9 December 1987 you reported aboard the USS BUCHANAN (DDG 14). During the period from 29 January to 26 July 1988, you received an NJP and were convicted by two summary courts-martial. Your offenses were four short periods of unauthorized absence and disobedience on five occasions. On 27 July 1988 you were diagnosed with a personality disorder, not otherwise specified, with dependent and impulsive traits.

Based on the foregoing record of misconduct, you were processed for an administrative discharge by reason of a pattern of misconduct. In connection with this processing, you elected to waive the right to have your case heard by an administrative discharge board. After review, the discharge authority directed discharge under other than honorable conditions and you were so discharged on 10 November 1988.

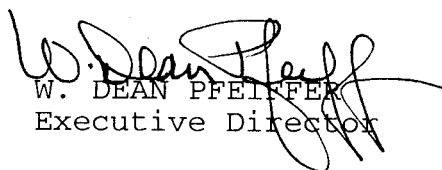
In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, diagnosed personality disorder, the character references you submitted showing a good post service adjustment and contention, in effect,

that you could not cope with life in the Navy because of chronic seasickness. The Board found that these factors and contention were not sufficient to warrant recharacterization of your discharge given your repeated misconduct. A review of your medical record revealed that there are no entries concerning treatment for seasickness. However, the Board noted that you received two NJP's prior to reporting to the BUCHANAN, which suggests that you had problems other than seasickness. 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