



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

CRS
Docket No: 1140-08
24 September 2008



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 September 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.

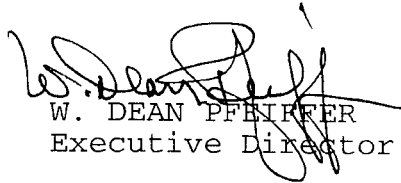
The Board found that you enlisted in the Marine Corps on 30 July 1980. You received four nonjudicial punishments for offenses that included disrespect, willful disobedience of a lawful order, and unlawful use of marijuana on three occasions.

On 7 December 1983 your commanding officer recommended that you be separated with a discharge under other than honorable conditions by reason of misconduct due to drug abuse. When informed of that recommendation, you waived the right to present your case to an administrative discharge board. After review by the discharge authority, the recommendation for separation was approved and on 22 December 1983 you were separated by reason of misconduct with an honorable discharge.

In its review of your application, the Board carefully considered your contention that one of your urinalyses was contaminated. The Board could not find any evidence in the available records or your application which corroborates that contention. Accordingly, and as you have not demonstrated that the narrative reason for your discharge is erroneous or unjust, your application as 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