



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

TJR
Docket No: 6514-08
28 May 2009

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 27 May 2009. The names and votes of the members of the panel will be furnished upon request. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps on 11 February 1966 at age 17 and served for about four months without disciplinary incident. However, on 27 June 1966, you received nonjudicial punishment (NJP) for absence from your appointed place of duty and were awarded restriction for 14 days.

On 21 May 1968 you received NJP for a four day period of unauthorized absence (UA) and failure to obey a lawful order. The punishment imposed was reduction to paygrade E-3 which was suspended for six months. About three months later, on 15 August 1968, you were referred for a psychiatric evaluation to determine your fitness for duty. You were diagnosed with a long lasting character and behavior disorder, found to be unsuitable for further service, and recommended for an administrative separation. On 23 August 1968 you were convicted by special court-martial (SPCM) of a 25 day period of UA and sentenced to

confinement at hard labor for six months, reduction to paygrade E-1, and a \$360 forfeiture of pay, a portion of which was suspended for six months.

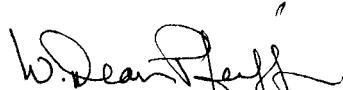
Subsequently, you were processed for an administrative separation by reason of convenience of the government due to unsuitability as evidenced by your diagnosed character and behavior disorder. The discharge authority directed discharge under honorable conditions, and on 21 October 1968 you were issued a general discharge.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 3.9. An average of 4.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to upgrade the characterization of your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your general discharge because of your unsuitability, diagnosed character and behavior disorder, and since your conduct average was insufficiently high to warrant an honorable discharge. Accordingly, your application has been denied.

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