



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

JRE
Docket No. 11203-08
12 December 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 11 December 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 5 March 1981. You received nonjudicial punishment on six occasions for numerous minor offenses, and were counseled on one occasion for possession of drug paraphernalia. You underwent a pre-separation physical examination on 11 August 1983 and were found fit for release from active duty. You were discharged by reason of misconduct-minor disciplinary infractions on 1 September 1983 with a discharge under other than honorable conditions.

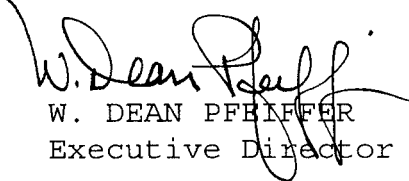
The Board concluded that in view of your extensive disciplinary record, your service was properly characterized as under other than honorable conditions. It was not persuaded that it would

be in the interest of justice to upgrade your discharge to general or honorable. In addition, it concluded that you failed to demonstrate that you were unfit for duty by reason of physical disability at the time of 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 PFIEFFER
Executive Director