



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

BAN  
Docket No: 2835-09  
28 December 2009

[REDACTED]

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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 15 December 2009. 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.

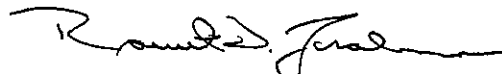
You enlisted in the Navy from 1978 to 1982 and received an honorable discharge. On 28 October 1982, you reenlisted in the Navy and served without disciplinary incident until January 1983, when you tested positive for an illegal substance (marijuana) during a random command urinalysis. Therefore, on 15 March 1983, you received nonjudicial punishment for four specifications of use and possession of a controlled substance (marijuana). You were deemed to be drug dependent and sent to the counseling and assistance center to receive four weeks of treatment for your addiction. In addition, you received a mental health evaluation for your depression and suicidal ideation and were diagnosed with a personality disorder. Therefore, you were recommended for separation with an other than honorable (OTH) discharge due to

drug abuse. You waived all of your procedural rights, to include your right to an administrative discharge board (ADB). The separation authority approved the recommendation and on 22 February 1984, you were separated with an OTH discharge and an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge due to the seriousness of your misconduct. The Board also found you waived your right to an ADB, your best opportunity for retention or a better characterization of service. 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,



For W. DEAN PFEIFFER  
Executive Director