



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

BJG  
Docket No: 10931-09  
15 July 2010



[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 13 July 2010. 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 entered active duty in the Navy on 29 May 1984. You received nonjudicial punishment and a summary court-martial for failure to obey a lawful order (three specifications), and failure to go to your appointed place of duty. You were notified of pending administrative separation action with a general discharge under an authorized early separation program. On 29 February 1988, you received a general discharge under an authorized early


separation program, and were assigned an RE-4 reenlistment code.

Characterization of service is based, in part, on trait marks assigned on a periodic basis. Your overall trait mark average was 2.94. An overall trait mark average of 3.0 was required for a fully honorable discharge.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, post service accomplishments, character reference letters, and desire to change your discharge and reenlistment code. However, the Board concluded that your discharge and reenlistment code should not be changed because of your acts of misconduct and insufficiently high trait mark average. The Board believed that you were fortunate to have received a general discharge, since when a Sailor has committed misconduct, he would normally be separated with an other than honorable characterization of service. In view of the above, 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