



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

TJR
Docket No: 1453-10
4 November 2010

[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 2 November 2010. 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 Navy on 3 June 1966 at age 17 and served without disciplinary incident until 23 April 1968, when you received nonjudicial punishment (NJP) for absence from your appointed place of duty. About four months later, on 27 August 1968, you were convicted by summary court-martial (SCM) of a 22 day period of unauthorized absence (UA) and missing the movement of your ship.

On 30 December 1968 you began another period of UA that was not terminated until you were apprehended and held in confinement by civil authorities on 29 January 1969 on charges of possession of narcotics.

Subsequently, while in the custody of civil authorities, you were processed for an administrative separation by reason of unfitness due to drug abuse. After waiving your procedural rights to consult with legal counsel and to present your case to an administrative discharge board, the discharge authority directed your commanding officer to issue you an undesirable discharge and

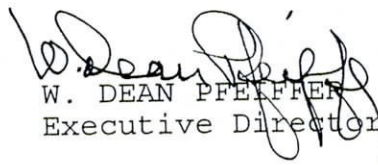
on 20 March 1969, you were so discharged. However, on 11 April 1972, the Naval Discharge Review Board (NDRB) recommended that the characterization of your service be changed to general under honorable conditions. On 31 July 1972 the Assistant Secretary of the Navy approved this recommendation and you were issued a general discharge by reason of unfitness.

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 your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant further recharacterization of your discharge because of your misconduct in both the military and civilian communities, and included drug abuse. Further, the Board noted that you were properly separated by reason of unfitness and that the NDRB recharacterized your service to general under honorable conditions. As such, the Board concluded that you were fortunate to receive a general discharge. Accordingly, your application has been denied.

The Board noted that you should contact Headquarters, United States Marine Corps, Deputy Chief of Staff for Manpower and Reserve Affairs (M&RA) Department, Code MMER, 3280 Russell Road, Quantico, VA 22134-5103 to request that administrative corrections be made to your Certificate of Release or Discharge from Active Duty (DD Form 214) such as, but not inclusive of, your social security number.

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