



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

CRS  
Docket No: 6679-10  
29 September 2010

[REDACTED]

[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 15 September 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 enlisted in the Navy on 5 April 2007. You received nonjudicial punishment on four occasions for offenses that included failure to obey a lawful order, disrespect, insubordination, disorderly conduct, and unspecified violations of Articles 92 and 128, Uniform Code of Military Justice.

On 15 April 2009 your commanding officer recommended that you be separated from the Navy by reason of misconduct/pattern of misconduct, with a general discharge. After being informed of the recommendation, you waived the right to present your case to an administrative discharge board. The recommendation was approved by the separation authority, and you were discharged on 13 May 2009 with a general discharge.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and overall record. The Board concluded that those factors were insufficient to warrant recharacterization of your service. Accordingly, your application has been denied. The names and votes of the members

of the panel will be furnished upon request.

Concerning the corrections to your record that the Naval Discharge Review Board directed in 2009, the Board will ensure that the Navy Personnel Command take appropriate action.

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