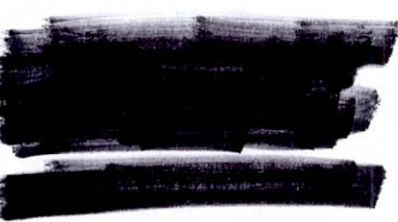




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 6721-10
14 April 2011



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 12 April 2011. 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.

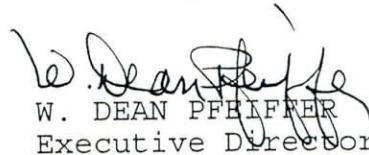
You enlisted in the Navy on 21 June 1962 at age 17. It appears that you served without disciplinary incident until 28 May 1965, when you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty and were awarded a reduction to paygrade E-2. Shortly thereafter, on 18 June 1965, upon completion of your required active service, you were honorably discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your overall satisfactory service, desire to correct your record to reflect that you were not reduced in paygrade, and letter of explanation surrounding the circumstances regarding imposition of the NJP. It also considered your assertion that because of a misunderstanding and the death of your mother, you did not knowingly fail to go to your appointed place of duty.

Nevertheless, the Board concluded these factors were not sufficient to warrant relief because of your misconduct which resulted in NJP and reduction in paygrade. Finally, the Board concluded that there is no evidence in the record, and you submitted none, to support your assertion. Accordingly, your application has been denied.

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