



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

REC
Docket No: 10622-10
27 July 2011

[REDACTED]
[REDACTED]:

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 27 July 2011. 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.

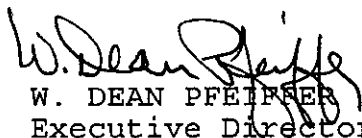
You enlisted in the Marine Corps and began a period of active duty on 8 July 1991. On 19 March 1991, you signed the statement of understanding concerning the Marine Corps zero tolerance drug policy. On 29 January 1994, you received nonjudicial punishment (NJP) for wrongful use of marijuana. On 24 August 1994, administrative separation action was initiated by reason of misconduct for drug abuse (use). On 3 June 1994, your case was heard by an administrative discharge board (ADB), which voted three to zero in favor of a general discharge due to misconduct for drug abuse (use). Your commanding officer concurred with the ADB's finding and recommended that you be discharged with a general discharge by reason of misconduct due to drug abuse (use). The discharge authority directed a general discharge. You were so discharged on 26 August 1994.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth, and the character reference letters you submitted with your application. However, the Board found that these factors were not sufficient to warrant any change in your

character of service, given your record of one NJP for drug abuse (use). The Board also noted that you were fortunate to receive a general discharge since a separation under other than honorable conditions is often directed when an individual is found to have committed misconduct. 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,


W. DEAN PFEIFFER
Executive Director