



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

BJG  
Docket No: 322-11  
17 October 2011

[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 12 October 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and entered active duty on 5 December 1975. You received nonjudicial punishment on five occasions and were convicted by a special court-martial. Your offenses included unauthorized absence (four specifications totaling 44 days), disrespect (two specifications), wrongful possession and use of marijuana, carrying a concealed weapon, absence from your appointed place of duty (two specifications), failure to obey a lawful order, resisting apprehension, breach of arrest, and communicating a threat. On 15 July 1980, at the end of your active obligated active duty while serving in pay grade


E-2, you were released with a general characterization of service based on your record, transferred to the Naval Reserve and assigned an RE-4 (not recommended for retention) reenlistment code.

Characterization of service is based, in part, on trait marks assigned on a periodic basis. Your overall trait mark average was 2.92. A 3.0 overall trait mark average 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 and current desire to upgrade your discharge. However, the Board concluded that your discharge should not be changed due to your numerous acts of misconduct and insufficiently high overall trait mark average. You are advised that no discharge is automatically upgraded due merely to the passage of time or post service good conduct. 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