



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

TJR  
Docket No: 1627-11  
8 November 2011

[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 2 November 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 14 March 1944 at age 17 and served for a year and four months without disciplinary incident. However, on 12 July 1945, you received captain's mast (CM) for disobedience, fighting, and drunkenness.


During the period from 24 January to 6 November 1946 you received CM on two more occasions for disorderly conduct and failure to obey a lawful order. You were also convicted by summary court-martial (SCM) on two occasions of a 13 day period of unauthorized absence (UA), breaking restriction, and absence from your appointed place of duty.

On 6 January 1947 you were convicted by SCM of absence from your appointed place of duty and being intoxicated. You were sentenced to a bad conduct discharge (BCD). Subsequently, the BCD was approved at all levels of review, and on 28 March 1947, you were issued a BCD.

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 discharge. Nevertheless, these factors were not sufficient to warrant recharacterization of your discharge given the seriousness of your repetitive misconduct which resulted in six disciplinary actions. 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 PFEIFFER  
Executive Director