



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

REC
Docket No: 02277-11
17 January 2012



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 13 January 2012. 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.

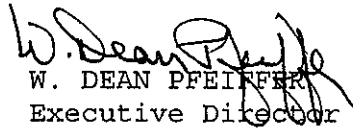
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 15 December 1965, at age 19. On 25 April 1968, you were convicted by a summary court-martial (SCM) of being in an unauthorized absence (UA) status for 30 days. You were sentenced to forfeiture of \$104, reduction in pay grade, and confinement at hard labor for 30 days. On 14 April 1970, you were convicted by a special court-martial (SPCM) of being UA on three occasions totaling 533 days. You were sentenced to forfeiture of \$400, reduction in pay grade, confinement at hard labor for four months, and a bad conduct discharge (BCD). On 8 September 1970, after appellate review, you were so discharged.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your discharge given your record of convictions by a SCM, and SPCM of a lengthy period of UA. 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