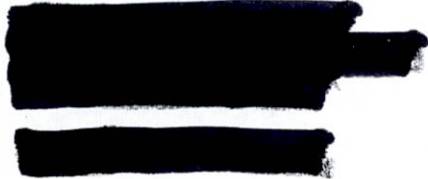




DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TAL  
Docket No: 2842-11  
9 December 2011



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 7 December 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.

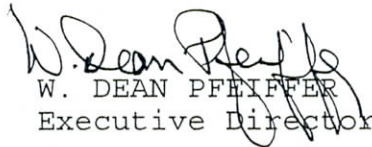
You enlisted in the Marine Corps and began a period of active duty on 22 October 1981 at age 17. You received nonjudicial punishment (NJP) on six occasions for two instances of willfully disobeying a lawful order, possessing alcoholic beverages in the barracks, being derelict in the performance of duties and seven instances of unauthorized absence (UA) from your unit for a period totaling 55 days. You were counseled regarding your misconduct and warned that further offenses could result in administrative separation. You were notified of pending administrative discharge processing with an other than honorable (OTH) discharge due to misconduct (pattern of misconduct). You waived all of your procedural rights, including your right to an administrative discharge board (ADB). On 30 January 1986, you received the OTH discharge for misconduct due to a pattern of misconduct.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change in the

characterization of your discharge given the seriousness of your misconduct that resulted in six NJPs. The Board noted that you waived the right to an ADB, your best opportunity for retention or a better characterization of service. 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