



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

SJN  
Docket No: 03168-12  
26 February 2013

[REDACTED]

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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 20 February 2013. 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 16 July 1990. The Board found that during the period from 19 to 22 March 1993, you were in a medical facility for treatment for alcohol abuse related problems. You were medically cleared for Antabuse therapy and recommended for administrative discharge action. At that time, your prognosis for recovery was considered poor. On 10 May 1993, you received nonjudicial punishment (NJP) for wrongful use of marijuana and larceny of a pack of cigarettes. Subsequently, administrative discharge action was initiated by reason of misconduct due to drug use. You elected to consult counsel and have your case heard before an administrative discharge board (ADB). On 4 October 1993, the ADB recommended separation with an other than honorable (OTH) discharge by reason of misconduct due to drug abuse. On 3 November 1993, your commanding officer concurred with the ADB's findings and forwarded his recommendation that you be discharged. On 4 November 1993, the separation authority directed an OTH discharge by reason of misconduct due to drug abuse. On 15 November 1993 you were so discharged.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and record of service. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your NJP for wrongful drug use and larceny. 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