



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

REC
Docket No: 03987-12
27 February 2013



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 21 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.

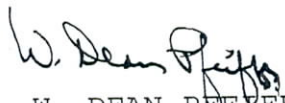
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 19 August 1982, at age 18. On 20 September 1983, you provided a urine sample that tested positive for the wrongful use of marijuana. Your chain of command decided not to discipline you. On 20 September 1983, you were notified that administrative discharge procedures were initiated and that you would receive a general discharge due to misconduct upon your separation. On 23 September 1983, your commanding officer forwarded his recommendation that you receive a general discharge by reason of misconduct (drug abuse). The discharge authority directed a general discharge. You were so discharged on 26 October 1983, and assigned an RE-4 (not recommended for retention) reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your record of service. However, the Board found that these factors were not sufficient to warrant any change in your characterization of service or reentry code, given your misconduct and non-recommendation for retention. The Board also noted that you were fortunate to receive a general discharge since a separation under other than honorable conditions is often directed when an individual is found to have committed misconduct. 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