



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

SJN
Docket No: 05601-12
19 July 2012

[REDACTED]

[REDACTED]

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 17 July 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.

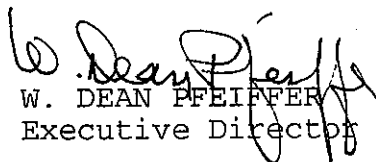
You enlisted in the Navy and began a period of active duty on 19 August 1977. The Board found that you received two nonjudicial punishment's (NJP's) for two instances of being absent from your appointed place of duty. On 22 April 1980, you were diagnosed with a personality disorder. Subsequently, administrative separation action was initiated due to your diagnosed personality disorder. You elected to waive the rights to consult counsel, submit a statement or have your case heard by an administrative discharge board. On 13 May 1980, your commanding officer forwarded his recommendation that you be discharged under honorable conditions. On 22 May 1980, the separation authority directed that you be separated with a general discharge by reason of your diagnosed personality disorder. You were so discharged on 30 May 1980.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service, and letter of support from the New England Shelter for Homeless Veterans. Nevertheless, the Board found that these factors were not sufficient to warrant a change in

characterization of your discharge given your misconduct that resulted in two NJP's. Finally, the Board noted that you waived the right to an ADB, your best chance 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