



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

TAL  
Docket No: 5630-12  
22 March 2013

[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 20 March 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 Reserve and began a period of active duty on 13 September 1973 at age 24. On 18 January 1974, you were released from active duty after completing your required training and assigned to a reserve unit. You were declared an unsatisfactory participant due to missing 18 scheduled drills and a 16 day Annual Training (AT) period. On 2 January 1975, you were involuntarily recalled to active duty. You received nonjudicial punishment (NJP) on two occasions for unauthorized absence (UA) from you unit for a period of 12 days and breaking restriction. On 9 May 1975, you were the subject of a psychiatric evaluation after an interview with the unit chaplain to discuss a possible application as a conscientious objector. You were diagnosed with an immature personality, impulsive character and behavior disorder. You were notified of pending administrative discharge processing with a general under

honorable discharge due to unsuitability. You waived all of your procedural rights. On 9 June 1975, you received the general discharge for unsuitability.

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 concluded these factors were not sufficient to warrant recharacterization of your discharge given the seriousness of your misconduct that resulted in two NJPs, 18 unexcused absences and a 16 day AT period absence. 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,



ROBERT D. ZSALMAN  
Acting Executive Director