



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

SJN
Docket No: 00266-13
17 October 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 16 October 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 20 August 1953. The Board found that on 16 February 1954 and 16 March 1955, you were convicted by summary court-martial (SCM) of four days of unauthorized absence (UA) and being absent from your appointed place of duty. During the period from 13 August 1955 to 10 October 1956, you received six nonjudicial punishments (NJP's) for disobedience, disrespect, having an unauthorized meal pass, being absent from your appointed place of duty, misbehavior of a sentinel, wrongful possession of an alcoholic beverage onboard ship, two periods of UA totaling three days during time of war, and unauthorized possession of two liberty cards. Subsequently, administrative discharge action was initiated and it was recommended that you receive an undesirable discharge by reason of unfitness. You were notified of pending administrative separation action and elected not to make a statement on your behalf. On 29 October 1956, an administrative discharge board recommended that you be discharged from the service with an undesirable discharge due to unfitness. Your case was forwarded

and you received an undesirable discharge on 21 November 1956. On 28 June 1960, the Naval Discharge Review Board reviewed your discharge and changed your characterization of service to general under honorable conditions.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service, and desire to upgrade your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your SCM conviction and six NJP's. 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