



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

SJN
Docket No: 01458-13
15 January 2014

[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 14 January 2014. 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.

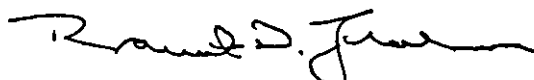
You enlisted in the Marine Corps and began a period of active duty on 9 November 1953. The Board found that during the period from 20 July 1954 to 29 March 1955, you received six nonjudicial punishments (NJP's) for seven periods of unauthorized absence (UA) totaling 11 days. On 27 May 1955, you were convicted by special court-martial (SPCM) of seven days of UA. Subsequently, administrative discharge action was initiated and it was recommended that you receive an undesirable discharge by reason of unfitness. You elected to have your case heard by an administrative discharge board (ADB). On 27 June 1955, the ADB found that you committed misconduct and 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 15 July 1955.

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

conviction by SPCM during war time. 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