



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

TAL
Docket No: 3311-13
28 February 2014



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 26 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.

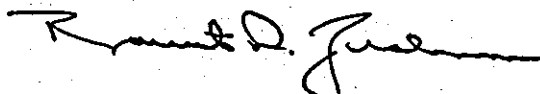
You enlisted in the Navy Reserve and began a period of active duty on 17 March 1989 at age 18. On 22 March 1991, you received nonjudicial punishment (NJP) for failure to obey a lawful order. On 9 April 1991 you were the subject of a psychological evaluation following a suicide attempt. You stated in part that after a fight with your girlfriend you were experiencing insomnia, decreased concentration and lack of interest. You stated that you hated your job and wanted out of the Navy. You were diagnosed with an adjustment disorder with depressed mood and a personality disorder with borderline and antisocial traits that existed prior to enlistment. You were considered fit but not suitable for continued military service and it was recommended that you be administratively separated. On 24 January 1992, you received NJP for wrongful use of cocaine. You were notified of pending administrative discharge processing

with an other than honorable (OTH) discharge due to misconduct (drug abuse). You waived all of your procedural rights, including your right to an administrative discharge board (ADB). On 13 March 1992, you again received NJP for the wrongful use of cocaine. On 20 March 1992, you received the OTH discharge for misconduct (drug abuse).

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 and repetitiveness of your misconduct. Finally, the Board found that you waived the right to an ADB, your best opportunity 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,



ROBERT D. ZSALMAN
Acting Executive Director