



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

SJN  
Docket No: 03691-13  
24 April 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 22 April 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 22 November 1961. The Board found that on 11 May 1962, you received nonjudicial punishment (NJP) for dereliction of duty. On 17 May 1962, you were convicted by summary court-martial (SCM) of four days of unauthorized absence (UA). During the period from 4 January to 18 July 1963, you received three NJP's for four periods of UA and disobedience. On 7 August 1963, you were convicted by a second SCM of UA and breaking restriction. On 9 September 1963 and 31 January 1964, you received NJP for UA, drunk and disorderly conduct and breaking restriction. On 19 March 1964, you were convicted by special court-martial (SPCM) of two specifications of leaving your post before being properly relieved. On 10 June 1966, you signed an administrative remarks page informing you, in part, that you were not being recommended for reenlistment due to receiving below average conduct marks which were insufficient for an honorable discharge. On 18 June 1966, you received your seventh NJP for

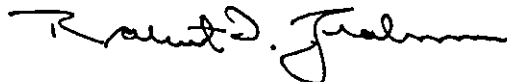
failing to go to your appointed place of duty. On 7 July 1966, you received a general discharge from active duty by reason of convenience of the government due to general demobilization.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record service, and desire to upgrade your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your seven NJP's, two SCM's, conviction by SPCM and failure to attain the required average in conduct. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

With regard to your request to have your record corrected to reflect that you received an award for combat in Vietnam on your Armed Forces of the United States Report of Transfer or Discharge (DD Form 214), the Navy Personnel Command, Retired Records Section, PERS 312B, Room 354, 1 Archives Drive, St. Louis MO, 63138, forwarded you a transmittal of Entitlement to Awards dated 11 June 2012, informing you of the awards you are entitled to. I have enclosed a copy for your information.

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

Enclosure