



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

BJG
Docket No: 4692-13
8 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 8 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and entered active duty on 21 August 1978. You received nonjudicial punishment on three occasions and were convicted by a summary court-martial and civil authorities. Your offenses included destruction of government property, wrongful possession of marijuana, dereliction of duty, resisting arrest, sleeping on watch, assault, disrespect, petit larceny, concealing evidence, and possession of false identification. On 17 August 1982, you completed your active duty obligated service, were transferred to the Navy Reserve

with a general characterization of service, and assigned an RE-4 (not recommended for retention) reenlistment code. On 8 February 1984, you were discharged from the Navy Reserve with a general characterization of service, and not recommended for reenlistment.

Characterization of service is based in part on conduct marks assigned on a periodic basis. Your conduct mark average was 2.8. A 3.0 conduct mark average was required for a fully honorable discharge.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, post service good conduct, and current desire to upgrade your discharge. However, the Board concluded that your general characterization of service should not be changed in light of your misconduct, non-recommendation for retention, and failure to attain the required conduct mark average. In view of the above, 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