



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

SJN  
Docket No: 5117-13  
24 June 2014

[REDACTED]

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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 17 June 2014. The names and votes of the members of the panel will be furnished upon request. 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 5 October 1970. The Board found that on 17 June and 25 August 1971, you received nonjudicial punishment (NJP) for disobedience and disrespect. On 24 April 1972, you were convicted by special court-martial (SPCM) of 160 days of unauthorized absence (UA). On 22 June 1972, you received a third NJP for disrespect, disobedience, drunk and disorderly conduct, and being absent from your appointed place of duty. On 3 November 1972 and 13 February 1973, you were convicted by SPCM of 87 days of UA and three specifications of failing to go to your appointed place of duty. As a result of your last SPCM, you were sentenced to confinement, a forfeiture of pay, and a bad conduct discharge (BCD). However, on 13 June 1973, the Navy

Clemency and Parole Board remitted your BCD and directed that you be separated with a general discharge. You were so discharged on 27 June 1973.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your record of service and desire to upgrade your discharge. Nevertheless, based on the information currently contained in your record, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your three NJP's and three SPCM convictions, two of which were for lengthy periods of UA. The Board believed you were fortunate to receive a general characterization of service in light of your misconduct and no further relief is warranted. Accordingly, your application has been denied.

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