

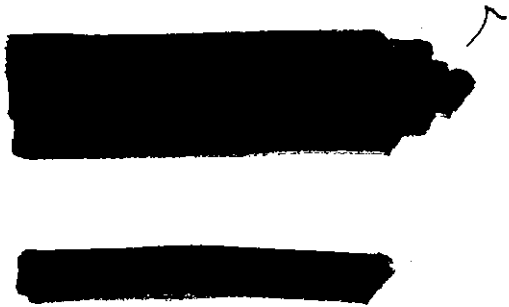


DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

CRS

Docket No: 6636-13

5 June 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 4 June 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.

The Board found that you enlisted in the Navy on 3 January 1990. You received nonjudicial punishment on four occasions and were convicted by a special court-martial. The offenses included absence from appointed place of duty, drunk on duty, failure to obey a lawful order, and three periods of unauthorized absence totaling 157 days.

On 18 October 1991 an administrative discharge board recommended that you be separated with a general discharge by reason of misconduct due to the commission of a serious offense. After review by the discharge authority, the recommendation for

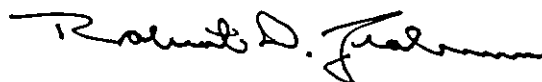
separation was approved and on 5 December 1991 you were separated with a general discharge by reason of misconduct due to the commission of a serious offense.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and overall record of service. The Board concluded that those factors are insufficient to warrant recharacterization of your service, given the seriousness of your offenses.

In your application, you are requesting that the date of your discharge be changed to 14 February 1992 to meet Department of Veterans Affairs home eligibility requirements. Since the record clearly shows that you were discharged on 5 December 1991, the Board concluded that you were properly discharged on 5 December 1991. 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