



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

SJN

Docket No: 7244-13

6 August 2014

[REDACTED]

[REDACTED]

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 5 August 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.

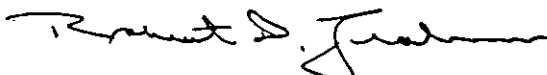
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 27 April 1987. The Board found that on 30 April 1987, you were briefed regarding the Navy's policy on drug and alcohol abuse. During the period from 11 May 1989 to 3 March 1993, you received three nonjudicial punishments (NJP's) for failing to go to your appointed place of duty, being absent from your appointed place of duty, disobedience, larceny, and unauthorized absence (UA). On 23 November 1993, you were convicted by special court-martial (SPCM) of UA and disobedience. On 28 January 1994, you received a fourth NJP for wrongful use of marijuana. On 13 April 1994, you were convicted by a second SPCM of two days of UA and escaping from lawful custody. You were sentenced to confinement and a bad conduct discharge (BCD). You received the BCD on 27 January 1995 after appellate review was completed.

The Board, in its review of your record and application, carefully weighed all potentially mitigating factors, such as your youth 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 four NJP's, one of which was for wrongful drug use, and SPCM convictions. 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