



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

BC
Docket No: 07657-13
2 September 2014

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL OF RECORD FORMER [REDACTED]
[REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy, filed enclosure (1) with this Board requesting, in effect, that the general discharge issued on 12 May 1995, be upgraded to honorable.

2. The Board, consisting of Mr. Zsalman, Mr. Sproul, and Ms. Tollefson, reviewed Petitioner's allegations of error and injustice on 27 August 2014 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Petitioner enlisted on 8 September 1988. He was not the subject of any military disciplinary action. He was convicted by a General District Court in Portsmouth, Virginia, of speeding and failure to wear a seatbelt and was fined a total of \$91. He was recommended for administrative separation by reason of failure to pass the Physical readiness Test (PRT) on three occasions within a four year period and was discharged with a general characterization of service on 12 May 1995.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action.

In this regard, the Board notes that Petitioner's misconduct was minor and did not warrant a general discharge. Accordingly, it finds it to be in the interest of justice to grant his request.

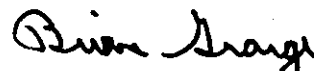
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was honorably discharged on 12 May 1995.

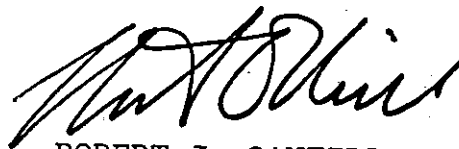
b. That a copy of this report of proceedings be filed in his record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


BRIAN J. GEORGE
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


ROBERT J. O'NEILL
Executive Director