



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

BJG  
Docket No: 870-13  
15 October 2013



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 10 October 2013. 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.

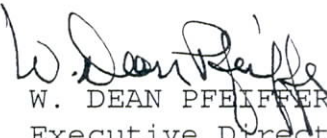
You reenlisted in the Navy on 11 October 1991 after more than five years of prior honorable service. You received nonjudicial punishment on two occasions for wrongful use of marijuana and committing indecent acts (two instances). You were then notified that your commanding officer was recommending you for administrative separation with an other than honorable (OTH) characterization of service due to misconduct. You exercised your procedural right to have your case heard by an administrative discharge board (ADB). The ADB met, found that

you had committed misconduct, and recommended that you be discharged with an OTH characterization of service. On 16 May 1996, you were discharged with an OTH characterization of service due to misconduct, and assigned an RE-4 (not recommended for retention) reentry code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, prior honorable service, and current desire to upgrade your discharge. However, the Board concluded that your discharge should not be changed due to your drug abuse and other misconduct. You are advised that no discharge is upgraded due merely to the passage of time or post service good conduct. 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,

  
W. DEAN PFEIFFER  
Executive Director