



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

BC  
Docket No: 08749-13  
25 September 2014

[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 24 September 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

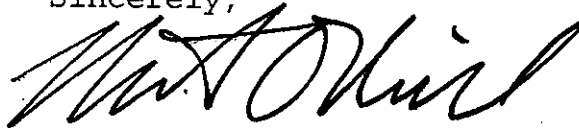
You reenlisted in the Marine Corps on 14 July 1987. On 1 September 1987, you received nonjudicial punishment (NJP) for being disrespectful. On 8 March 1988, you received NJP for being in an unauthorized absence (UA) status for an unknown period of time. On 8 February 1990, you received NJP for willfully disobeying a lawful order. On 14 June 1990, you submitted a request for discharge for the good of the service in lieu of trial by court-martial for the following offenses: failure to go to your appointed place of duty on two occasions, being absent from your appointed place of duty, violating a lawful general order and operating a vehicle while your driving privileges were suspended. Your request for discharge was granted and on 25 June 1990, you received a discharge under other than honorable conditions for the good of service in lieu of trial by court-martial. As a result of this action, you were spared the stigma of a court-martial conviction and the

potential penalties of a punitive discharge and confinement at hard labor.

The Board, in its review of your application, carefully considered all potentially mitigating factors present in your case. It found those factors insufficient to warrant upgrading your characterization of service given your extensive record of misconduct and request for discharge. The Board believed that considerable clemency was extended to you when your request for discharge was approved. The Board also concluded that you received the benefit of your bargain with the Navy when your request for discharge was granted and should not be permitted to change it now. 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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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 J. O'NEILL  
Executive Director