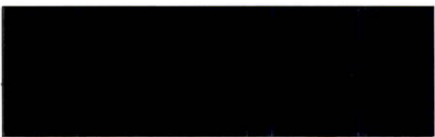




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

SJN
Docket No: 559-14
30 January 2015



Dear [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 21 January 2015. 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 20 August 1965. The Board found that you received four nonjudicial punishments (NJPs) for two instances of being absent from your appointed place of duty, assault, disobedience, three instances of unauthorized absence, dereliction of duty, and possession of clothing not belonging to you. On 17 April 1968, you were the subject of a psychiatric evaluation, which diagnosed a character and behavior disorder. On 19 November 1968, you were notified of pending administrative separation action by reason of convenience of the government due to the diagnosed disorder. You were afforded all of your procedural rights including the opportunity to submit a statement on your behalf. On 21 November 1968, your commanding officer forwarded his recommendation that you be separated by reason of unsuitability with a general discharge. You were so discharged on 9 December 1968.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your record of service, Department of Veterans Affairs (DVA) letter dated 26 February 1991 that states your service was honorable, and desire to upgrade your discharge. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your characterization of service given your four NJPs and diagnosed character and behavior disorder. Accordingly, your application has been denied. Finally, the Board determined that you properly received a general discharge based on your record of service, and that it appears the DVA may have upgraded your discharge status to "Honorable" in order for you to continue receiving benefits. The DVA decision to characterize your service as honorable does not change or upgrade your characterization of service.

In response to your request for medals to which you may be entitled, you should submit your request to the Navy Liaison Office (N314), 9700 Page Blvd., Room 3475, St. Louis, MO 63132-5200.

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 J. O'NEILL
Executive Director