



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TJR  
Docket No: 6590-09  
4 June 2010



This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 3 June 2010. 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 on 17 March 1989 at age 17. You served for more than two years without disciplinary incident, but during the period from 10 January to 18 December 1992 you received nonjudicial punishment (NJP) on three occasions for two periods of absence from your appointed place of duty, disobedience, and assault.

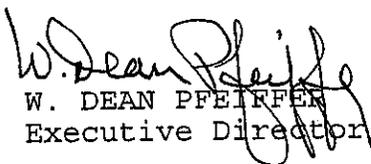
Subsequently, you were processed for an administrative separation by reason of misconduct due to a pattern of misconduct. After consulting with legal counsel, you elected your procedural right to present your case to an administrative discharge board (ADB). On 15 January 1993 an ADB recommended discharge under honorable conditions by reason of misconduct by reason of a pattern of misconduct. On 4 February 1993, in concurrence with the ADB, your commanding officer also recommended discharge under honorable conditions by reason of misconduct due to a pattern of

misconduct. On 10 March 1993 the discharge authority approved these recommendations and directed your commanding officer to issue you a general discharge by reason of misconduct, and on 15 March 1993, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to upgrade your discharge. It also considered your assertion that your discharge was based solely on one isolated incident. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your repetitive misconduct which resulted in three NJPs. Finally, there is documented evidence in the record that is contrary to your assertion. 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,

  
W. DEAN PFEIFFER  
Executive Director