



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

TJR
Docket No: 8818-98
15 July 1999

[REDACTED]

Dear [REDACTED]

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 7 July 1999. 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.

The Board found you reenlisted in the Navy on 5 June 1963 after three years of prior honorable service. Your record reflects that you continued to serve for nearly a year without incident but on 24 June 1963 you were convicted by special court-martial (SPCM) of three incidents of unauthorized absence (UA) totalling 25 days, missing the movement of your ship, and two incidents of breaking restriction. You were sentenced to confinement at hard labor for four months, forfeitures totalling \$292, and reduction to paygrade E-1.

Your record further reflects that on 9 March 1965 you were convicted by SPCM of five incidents of UA totalling 42 days and three incidents of breaking restriction. You were sentenced to reduction to confinement at hard labor for four months, forfeitures totalling \$200, and a bad conduct discharge (BCD). On 3 May 1965 you submitted a written request for immediate execution of the BCD. Your request noted that you were having financial problems and had lost all interest in the Naval Service. After the findings and sentence of the SPCM were

reviewed and approved, the BCD was ordered executed. On 11 June 1965 you received the BCD.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, good post service conduct and your contention that you would like your discharge upgraded for personal reasons. The Board also considered your contention that you were having drinking problems. Further, the Board considered your character reference letter. However, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given the seriousness of your frequent misconduct and your request for immediate execution of your discharge. Given all the circumstances of your case, the Board concluded your discharge was proper and no change is warranted. 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 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