



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

CRS
Docket No: 1981-99
20 September 2000

[REDACTED]

Dear [REDACTED]

This is in reference to your application for reconsideration 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 12 September 2000. 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.

The Board found that on 1 April 1945 you enlisted in the Army Reserve. Seventeen days later, you were discharged when you were only 15 years of age. You then enlisted in the Marine Corps on 14 June 1945, but failed to disclose your true age or the prior period of service. Subsequently, your age and prior enlistment were discovered and resulted in a recommendation for separation. Subsequently, on 22 October 1945 you received an undesirable discharge by reason of fraudulent enlistment.

On 6 November 1946 the Board of Review, Discharges and Dismissals changed your undesirable discharge to a general discharge by reason of convenience of the government. On 14 April 1992 this Board denied your request to change the discharge to honorable.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and immaturity and good postservice conduct. However, the Board concluded that these factors were not sufficient to warrant recharacterization of your discharge due to your fraudulent enlistment and brief

period of service. 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

Copy to: The American Legion