



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

FC  
Docket No: 06555-02  
24 January 2003

[REDACTED]

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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 15 January 2003. 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 you enlisted in the Navy on 25 March 1980 at age 18. You then served without incident until 16 December 1983, when you were awarded nonjudicial punishment for a brief period of unauthorized absence, wrongful distribution of methamphetamine, and wrongful possession of methamphetamine. The punishment imposed was forfeitures of \$375.00 pay per month for two months, reduction to paygrade E-3, restriction to the ship for 45 days, and 45 days of extra duty.

On 24 December 1983, the commanding officer (CO) advised you that were being processed for administrative separation by reason of misconduct due to drug abuse. You then waived your right to consult with counsel and to present your case to an administrative discharge board. On 27 December 1983, the Commander, Naval Military Personnel Command directed that you be

separated with a discharge under other than honorable conditions, and on 19 March 1983, you were discharged.

In its review of your case, The Board carefully weighed all potentially mitigating factors, such as your youth and immaturity, the period of good service, and the length of time that has passed since you were discharged from the Navy. However, the Board found that these factors were not sufficient to warrant recharacterization of your discharge because of the serious nature of the drug-related misconduct that resulted in nonjudicial punishment and administrative separation. 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