



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

TRG
Docket No: 1467-03
29 July 2003



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 29 July 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.

You enlisted in the Navy on 23 April 1984 at age 17. During the period from 21 February to 4 April 1985, you received nonjudicial punishment on three occasions. Your offenses were two periods of unauthorized absence totaling about 14 hours, absence from your appointed place of duty, fighting, and wrongful use of a controlled substance.

Based on the foregoing record, you were processed for an administrative discharge by reason of misconduct due to a pattern of misconduct and drug abuse. In connection with this processing, you elected to waive the right to have your case heard by an administrative discharge board. After review the discharge authority directed discharge under other than honorable conditions by reason of misconduct due to drug abuse. You were so discharged on 2 May 1985.

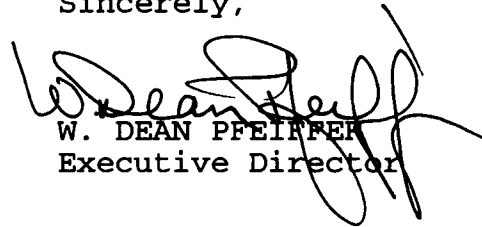
In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and contention that you desired to stay in the Navy. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your disciplinary

record and especially your use of drugs. The Board concluded that the discharge was proper as issued 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