



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

TRG

Docket No: 2388-03
29 October 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 28 October 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.

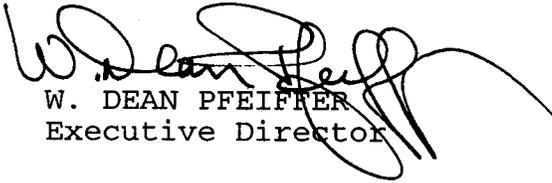
You enlisted in the Navy on 1 October 1952 at age 17. During the period from 24 June 1953 to 15 January 1954, you were convicted by three special courts-martial. Your offenses were three periods of unauthorized absence totaling about 68 days. A fourth special court-martial convened on 2 June 1954 and convicted you of an unauthorized absence of about 38 days. The court sentenced you to reduction to pay grade E-1, forfeiture of \$50 pay per month for three months, confinement at hard labor for three months and a bad conduct discharge. The bad conduct discharge was issued on 2 September 1954.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and limited education. You contend, in effect, that you were too immature to cope with military life. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given the frequency of your unauthorized absences and conviction by four special courts-martial. 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