



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

JRE  
Docket No. 10131-05  
27 March 2007

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: FORMER [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected that she was discharged reason of physical disability rather than misconduct.

2. The Board, consisting of Messrs. [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 8 February 2007, and pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner enlisted in the Marine Corps on 12 July 1983. She was referred for psychiatric evaluation on 17 September 1984 after suffering a miscarriage. She was given a diagnosis of an adjustment disorder with mixed disturbance of emotions and conduct, and recommended for discharged by reason of unsuitability on that basis. On or about 15 November 1984, she submitted a request for discharge for the good of the service in

lieu of trial by court-martial for four specifications of failure to go to her appointed place of duty at the time, and intentionally injuring herself with intent to avoid service, by taking a drug overdose. Her conduct and proficiency mark averages at that time were 4.7 and 4.6, respectively. Her commanding officer recommended approval of her request because he felt that her desire for discharge, which was manifested by her drug overdose, made her potential for useful service extremely doubtful. He also noted that her psychiatrists and he believed that under the circumstances of her case, it was in her best interest to discharge her as expeditiously as possible. She was placed in a sick in quarter status by her psychiatrist pending action on her request for discharge. Her request was approved by the discharge authority, and she was separated from the Marine Corps on 3 December 1984, for the good of the service in lieu of trial by court-martial, with a discharge under other than honorable conditions.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner failed to submit sufficient relevant evidence to demonstrate that her discharge for the good of the service in lieu of trial by court-martial was improper, or that she was unfit for duty by reason of physical disability that was incurred in or aggravated by her service in the Marine Corps. The Board concludes further, however, that in view of Petitioner's excellent record prior to her miscarriage, and the fact that her desire for a discharge was related to her reaction to that unfortunate occurrence, it would be in the interest of justice to upgrade her discharge to general.

#### RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that she was discharged from the Marine Corps on 3 December 1984, for the good of the service in lieu of trial by court-martial, with a discharge under honorable conditions.

b. That so much of her request for correction of her naval record as exceeds the foregoing be denied.

c. That copy of this Report of Proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review

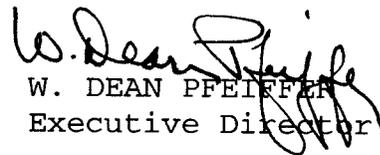
and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter..

ROBERT D. ZSALMAN  
Recorder



JAMES R EXNICIOS  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER  
Executive Director