



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

TRG
Docket No: 8162-06
23 January 2008

Dear [REDACTED]

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 23 January 2008. 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 Marine Corps on 20 July 1985 at age 18. During the period from 31 October 1986 to 4 December 1987, you received nonjudicial punishment on two occasions for an unauthorized absence of about 28 minutes and use of marijuana. You were also counseled on two occasions concerning use of marijuana, writing bad checks and poor attitude and performance. On 16 March 1988 you were convicted by a summary court-martial of use of marijuana.

Based on the foregoing record, you were processed for an administrative discharge by reason of misconduct due to 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 and you were so discharged on 29 April 1988.

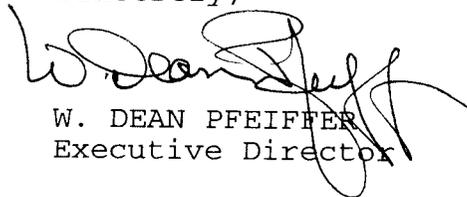
In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, desire for a better discharge and your contention that the Marine Corps violated a contractual promise that would have resulted in your promotion. The Board found that these factors and contention were not sufficient to warrant recharacterization of your

discharge given your repeated incidents of drug abuse. 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