



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

CRS
Docket No: 10090-06
29 January 2008

[REDACTED]

[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 9 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.

The Board found that you reenlisted in the Navy on 7 May 1982 after more than two years of prior active service. You received three nonjudicial punishments during your second enlistment for offenses that included unauthorized absences and dereliction of duty.

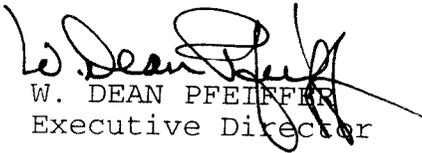
On 7 November 1984 your commanding officer recommended that you be separated from the Navy with a general discharge by reason of misconduct due to a pattern of misconduct. When informed of this recommendation, you elected to waive the right to submit a statement in response to the discharge action. After review by the discharge authority, the recommendation for separation was approved and on 1 December 1984 you received a general discharge.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your good service during your first enlistment and the mental stress of your second enlistment which you believe caused your misconduct. The Board concluded that those factors were insufficient to warrant recharacterization of your discharge or a change in the reason for the discharge, given your disciplinary record. There is no evidence which supports your contention that mental stress caused

your misconduct. 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