



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

SJN  
Docket No: 04028-07  
4 February 2008



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 24 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

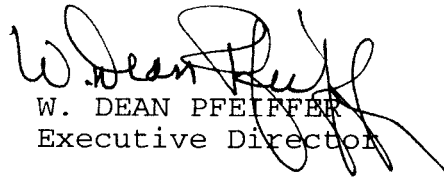
You enlisted in the Marine Corps on 1 February 1966 at age 18. On 14 January 1967, you received nonjudicial punishment (NJP) for leaving your post before being properly relieved. On 12 July 1968, while stationed in Vietnam, you were convicted by general court-martial (GCM) for 10 specifications of signing false official documents, 21 specifications of larceny of postal money orders, and 13 specifications of wrongfully and willingly issuing postal money orders without having previously paid the full face value. You were sentenced to a reduction in paygrade, confinement at hard labor, forfeiture of all pay and allowances, and a dishonorable discharge (DD). On 12 February 1970, the Navy Clemency and Parole Board mitigated your DD to a bad conduct discharge (BCD), and directed your immediate release from confinement. You received the BCD after appellate review was completed.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth, overall record of service, Vietnam service, and post service accomplishments. Nevertheless, the Board found that

these factors were not sufficient to warrant recharacterization of your discharge given your NJP and conviction by GCM for very serious offenses. 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