



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

TJR  
Docket No: 5670-07  
17 April 2008

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 15 April 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 Navy on 6 October 1981 at age 17 and began a period of active duty on 1 December 1981. You served without disciplinary incident until 8 July 1982, when you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty. The punishment imposed was restriction and extra duty for seven days and a \$75 forfeiture of pay. Shortly thereafter, on 15 July 1982, after undergoing a psychiatric evaluation, you were diagnosed with an adjustment reaction, suicidal ideation with mood swings and depression, and a chronic passive aggressive personality disorder with schizoid and immature features. At that time you were strongly recommended for an administrative separation.

On 2 August 1982 you were notified of pending administrative separation action by reason of unsuitability due to the diagnosed personality disorder. At that time you waived your right to submit a statement of rebuttal to the discharge and did not object to being discharged. On 18 August 1982 your commanding officer recommended discharge under honorable conditions by

reason of unsuitability. On 1 September 1982 the discharge authority approved this recommendation and directed separation under honorable conditions by reason of unsuitability, and on 14 September 1982 you were issued a general discharge.

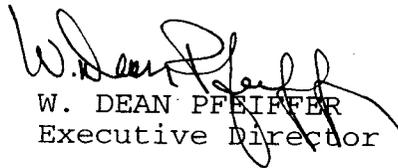
Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.3. An average of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to upgrade your discharge so that you may reenlist. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of your misconduct, which resulted in NJP, and since your conduct average was insufficiently high to warrant an honorable discharge. 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