



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

TRG  
Docket No: 6070-07  
6 May 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 22 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You reenlisted in the Marine Corps for four years on 24 November 1979 after serving about 27 months of active service on a prior three year enlistment. During the period from 1 May 1980 to 24 August 1982, you received nonjudicial punishment (NJP) on four occasions. Your offenses were two periods of unauthorized absence totaling about 16 days, failure to go to your appointed place of duty, and five instances of disobedience. Additionally, you were counseled on nine occasions concerning financial irresponsibility and poor performance and conduct. Subsequently, you were diagnosed as being alcohol dependent and it was noted that you had previous psychiatric evaluations. On 31 March 1983, you received your fifth NJP for possession of marijuana and drug paraphernalia.

Based on the foregoing record, you were processed for an administrative discharge. 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 by reason of misconduct due to drug abuse. You were so discharged on 16 May 1983.

In its review of your application the Board carefully weighed all

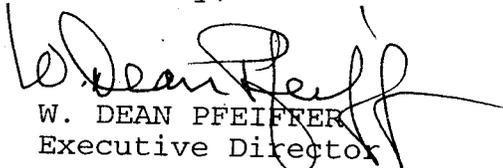
potentially mitigating factors, such as your prior honorable service and contention that you are remorseful for your conduct while in the Marine Corps. The Board found that these factors and contention were not sufficient to warrant recharacterization of your discharge given the frequency and nature of your misconduct. 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.

The Board believes that you may be eligible for veterans benefits based on your prior honorable service. Therefore, if you have been denied benefits, you should appeal that denial under procedures established by the Department of Veterans Affairs.

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