



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

TJR
Docket No: 6480-07
13 May 2008

[REDACTED]

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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 6 May 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 18 March 1969 at age 18 and served for nearly six months without disciplinary incident. However, during the period from 23 September to 14 November 1969 you received nonjudicial punishment (NJP) on three occasions for two periods of unauthorized absence (UA) totalling 15 days, two specifications of failure to obey a lawful order, and two periods of absence from your appointed place of duty.

On 18 May 1970 you received your fourth NJP for a three day period of UA and were awarded a reduction to paygrade E-1.

On 1 January 1971,, while serving in paygrade E-1, you were released from active duty under honorable conditions. On 30 March 1975, at the expiration of your enlistment, you were issued a general discharge.

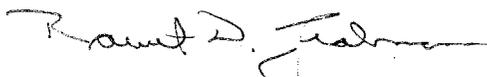
Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 3.9. An average of 4.0 in conduct was required at the time of your discharge for a fully honorable characterization of service.

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 to honorable. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your repetitive misconduct which result in four NJPs, 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,



ROBERT D. ZSALMAN
Acting Executive Director