



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

TRG  
Docket No: 8350-07  
12 November 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 4 November 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 enlisted in the Marine Corps on 12 January 1951 at age 17. During the period from 22 May 1951 to 4 September 1953 you were convicted by a special court-martial and three summary courts-martial and received nonjudicial punishment on two occasions. Your offenses were six periods of unauthorized absence totaling about 27 days, disobedience and possession of another's liberty card. The record also shows that on 29 December 1953, you were arrested by civil authorities for possession of narcotics and were subsequently convicted to the California Youth Authority.

Based on the foregoing record, you were processed for an administrative discharge. An administrative discharge board met on 6 January 1954 and recommended an undesirable discharge. After review, the separation authority directed an undesirable discharge and you were so discharged on 27 January 1954.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and contention that you were an alcoholic at the time of your service. You state that after discharge you received treatment and have been straight and sober for 36 years. The Board found that these factors and contention were not sufficient to warrant recharacterization of your discharge given the frequency 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.

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