



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

TJR
Docket No: 8754-07
27 October 2008



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 21 October 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 13 February 1975 at age 18 and began a period of active duty on 3 March 1975. On 16 July 1975 you received nonjudicial punishment (NJP) for a one day period of unauthorized absence (UA) and absence from your appointed place of duty.

Subsequently, you were notified of pending administrative separation action by reason of convenience of the government r. The discharge authority directed discharge under honorable conditions by reason of convenience of the government and on 4 September 1975 you were issued a general discharge.

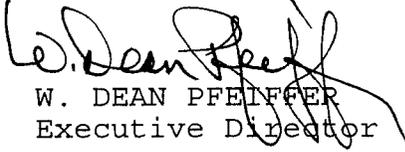
Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your only conduct mark was 2.8. An average of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

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 the characterization of your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of your disciplinary infractions 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