



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

CRS  
Docket No: 9001-07  
22 April 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 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 5 March 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.

The Board found that you enlisted in the Navy on 19 August 1941. On 27 October 1942 your ship was sunk by enemy forces. Subsequently you received three nonjudicial punishments and were convicted by a summary court-martial and a general court-martial for offenses that included unauthorized absences, using abusive language, failure to obey a lawful order, reckless driving, illegal use of ship's services, breaking arrest, and forging a Navy pass. On 2 December 1946 you received a general discharge by reason of expiration of term of service.

The Board did not accept your unsubstantiated contention to the effect that your misconduct was caused by or related to the effects of an undiagnosed posttraumatic stress disorder. It concluded that your service was properly characterized as under honorable conditions in view of your extensive disciplinary record, and that you have not demonstrated that it would be in the interest of justice for the Board to upgrade your discharge to fully honorable. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

Concerning your request for a record of all the medals and

ribbons you are entitled to, you should write PERS 313E, Room 5409, 9700 Page Blvd., St. Louis, MO 63132.

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