



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

CRS  
Docket No: 10100-07  
24 November 2008

[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 19 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.

The Board found that you enlisted in the Marine Corps on 4 November 1969. You received two nonjudicial punishments for offenses which included an unauthorized absence and drunk and disorderly conduct. On 18 January 1971 the Naval Investigative Service found that you had used marijuana on numerous occasions while on active duty.

On 12 March 1971 your commanding officer recommended that you be separated from the Marine Corps with a general discharge by reason of unfitness due to drug abuse. After review by the discharge authority, the recommendation for separation was modified, and you received an undesirable discharge on 26 March 1970.

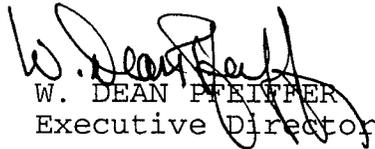
On 11 September 1974 the Naval Discharge Review Board upgraded your discharge to general based on the Laird Memorandum.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and overall service. The Board concluded that those factors were insufficient to warrant recharacterization of your discharge, given your involvement with illegal drugs. 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