



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

SMW
Docket No: 10239-07
8 July 2008

[REDACTED]

[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 2 July 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.

On 2 October 1980, you enlisted in the Marine Corps at age 17 with parental consent. On 26 April 1982, you were counseled regarding your tardiness, missing movement, and warned that further infractions could result in disciplinary action. On 24 March 1983, you had nonjudicial punishment (NJP) for a day of unauthorized absence (UA). On 17 May 1983, you were counseled regarding your confirmed involvement in drug abuse and warned that further infractions could result in disciplinary action or administrative separation. On 28 July 1983, you had NJP for willful disobedience of a lawful order, drunk and disorderly conduct, and intent to defraud. On 4 February 1984, you were counseled regarding your confirmed involvement of illegal drug use and warned that further infractions could result in disciplinary action or administrative separation. During the period 7 April to 1 August 1984, you participated in contingency operations and security support in Beirut Lebanon. On 20 September 1984, you had NJP for use of marijuana. On 2 October 1984, you were

released from active duty under honorable conditions due to the completion of required active service. On 8 September 1986, you were separated with a general discharge due to the expiration of obligated service.

Characterization of service is determined by a service member's conduct, actions, performance and marks assigned on a periodic basis. Minimum acceptable average proficiency and conduct marks of 3.0 and 4.0, respectively, are required to form the basis for a fully honorable characterization of service. Your average proficiency and conduct marks were 4.1 and 3.8, respectively. Given your disciplinary record and failure to attain the conduct mark average required for a fully honorable characterization of service, the Board found that your service did not warrant an honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth and desire for an honorable discharge. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your service due to your overall service record. Therefore, 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