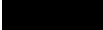


**DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100**

 ecb
Docket No. 10840-07
20 March 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 18 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.

You enlisted in the Navy on 23 October 1991 at age 18. On 8 March 1993 you were admitted to the Long Beach Naval Hospital for alcohol abuse and treated. You were subsequently issued a written warning that such behavior could result in disciplinary action and administrative separation with another than honorable (OTH) discharge. Unfortunately on 30 April 1993 you received non-judicial punishment (NJP) for being drunk and disorderly and failure to obey a lawful order. You were subsequently admitted to Long Beach Naval Hospital for Level III alcohol rehabilitation. On 12 August 1984 you received your second NJP for being drunk and disorderly. On 6 February 1985 you received a third NJP for two periods of unauthorized absence totaling one hour and ten minutes and being drunk. As a result you were administratively separated with an OTH discharge.

In its review of your application the Board considered all potentially mitigating factors such as your youth and genuine sorrow for your behavior. Nevertheless the Board concluded that these factors could not overcome your repeated acts of misconduct which occurred even after you issued written warnings and given medical treatment for alcohol abuse.

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,

