



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

SMW  
Docket No: 10872-07  
31 July 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 30 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 27 September 1979, you enlisted in the Naval Reserve at age 18 and began a period of active service on 4 October 1979. On 19 January 1981, you began an unauthorized absence (UA) that ended on 23 January 1981, a period of about four days. On 30 January 1981, you had nonjudicial punishment (NJP) for the four day period of UA, and use and possession of marijuana. On 28 May 1981, you had NJP for dereliction in the performance of your duties and communicating a threat. On 9 June 1981, you were counseled regarding deficiencies in your performance and conduct and warned that further infractions could result in disciplinary action or an other than honorable discharge. On 7 October 1982, you were released from active duty with a general characterization of service. On 30 September 1985, you were honorably discharged due to the expiration of your 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 overall trait and behavior marks of 2.7 and 3.0, respectively, are required to form the basis for a fully honorable characterization of service. Your average overall trait and behavior marks were 3.51 and 2.96, respectively. Given your NJP's and failure to attain the behavior mark average required for a fully honorable characterization of service, the Board found that your period of active service warranted a general characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth and belief that you were mistakenly issued a general characterization of service. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your service, given your NJP's and failure to attain the behavior mark average required for a fully honorable characterization of service. Therefore, the Board concluded that the general characterization of service 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