



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

CRS
Docket No: 143-08
27 August 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 13 August 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 reenlisted in the Navy after more than three years of prior active service. You received three nonjudicial punishments for offenses that included an unauthorized absence, disrespect, dereliction of duty, misbehaving on watch, and failure to go to appointed place of duty. A psychiatric evaluation conducted on 15 February 1991 diagnosed you as having a passive-aggressive personality disorder.

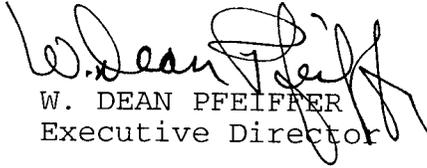
On 3 February 1992 an administrative discharge board recommended that you be separated from the Navy with a general discharge by reason of misconduct due to a pattern of misconduct. After review by the discharge authority, the recommendation for separation was approved and on 1 May 1992 you received a general discharge.

The Board carefully considered your unsubstantiated contentions to the effect that you had inadequate counsel, you should have been treated for attention deficit disorder and that one of your NJPs should have been suspended but found them insufficient to warrant upgrading your discharge or changing its basis. The Board concluded that you were fortunate to have received a

general discharge, given your numerous acts of misconduct. 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