



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

RDZ:ecb
Docket No. 00299-08
10 September 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 4 September 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 Marine Corps on 27 January 1965 at age 18. Between 21 March 1966 and 13 February 1969 you received six nonjudicial punishments, one summary court-martial and one special court-martial. Your offenses consisted of absence from duty, three hours of unauthorized absence, failure to rise at reveille, unauthorized absence of 12 hours, unauthorized absence of two days, absence from duty, failure to go to appointed place of duty, unauthorized absence of 31 days and breaking restriction. On 8 March 1969 an administrative discharge board (ADB) found that you used and sold marijuana as well as heroin

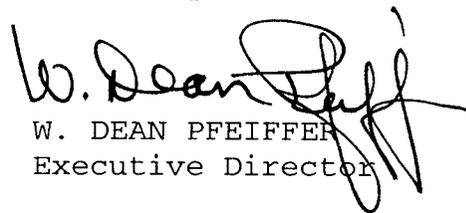
at the Naval Station, Brooklyn, New York. The ADB recommended that you be issued an undesirable discharge which you received on 2 April 1969.

The Board concluded that in view of your repetitive acts of misconduct as well as the seriousness of your drug related misconduct your discharge was proper as issued and should not be changed now as a matter of clemency.

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