



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

BAN  
Docket No: 00338-08  
22 August 2008

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 21 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy in July 1978, and were granted a waiver for prior drug usage. You served without disciplinary incident until July 1979, when you received a nonjudicial punishment (NJP) for drug usage.

Shortly thereafter, you were charged and found guilty at the following NJP's: In September 1980, for possession of an illegal substance, February 1981, UA, May 1981, for possession of an illegal substance, and August 1981, two specifications of UA, insubordinate conduct, and possession of an illegal substance.

On 22 September 1981, you were recommended for separation by reason of misconduct due to drug abuse with a discharge under other than honorable (UOTH) conditions and a reenlistment code of RE-4. Additionally, you were found to be drug dependent, however, you waived all rehabilitation treatment. On 19 October 1981, the

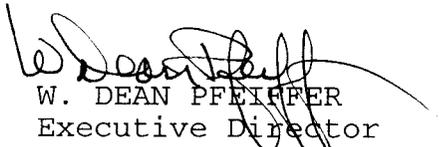
discharge authority approved these recommendations and directed a discharge UOTH conditions, and on 23 October 1981, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your 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