



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

SMS  
Docket No: 2606-08  
20 November 2008

[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 19 November 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.

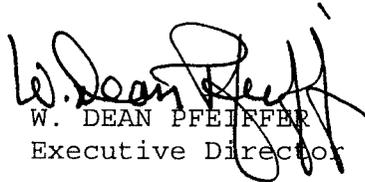
On 30 July 1970, you enlisted in the Navy at age 17 with parental consent. During the period 8 July to 4 September 1971, you had nonjudicial punishment (NJP) on three occasions. Your offenses included two instances of unauthorized absence totaling three days and failure to obey a lawful order. On 9 September 1971, you received a medical evaluation during which you admitted using lysergic acid diethylamide (LSD) about 100 times and marijuana about 200 times. The evaluation found no evidence of psychosis and you were subsequently granted a drug exemption.

On 7 October 1971, your commanding officer initiated administrative separation by reason of unfitness in which your characterization of service could result in an undesirable discharge, but your commanding officer indicated that it be determined as warranted by your service record. In connection with this processing, you acknowledged that separation could result in a general discharge. On 27 October 1971, the separation authority approved the discharge recommendation by reason of unfitness and directed that your characterization of service be determined as warranted by your service record. On 1 November 1971, you were discharged with a general discharge by reason of unfitness.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth. The Board also considered the letters of character reference that you submitted with your petition. Nevertheless, the Board concluded that these factors were not sufficient to warrant recharacterization of your discharge due to your overall service record. Therefore, the Board concluded that the discharge 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 PFETFFER  
Executive Director