



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

SJN  
Docket No: 03144-08  
12 February 2009

[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 10 February 2009. 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 and began a period of active duty on 21 January 1965 at age 17. On 30 September 1965 and 20 January 1966, you were convicted by special court-martial (SPCM) of two periods of unauthorized absence (UA) totaling 80 days. You were sentenced by both courts to confinement at hard labor, a forfeiture of pay, and a reduction in paygrade.

On 3 March 1966, you were the subject of a psychiatric evaluation, which diagnosed a character disorder. It noted, in part, that you were poorly motivated for restoration, and if restored it was determined that you would have continued to display the pattern of flight in response to stress and continued conflict with authority that would have been a continuing liability to the military.

On 15 April 1966, you were notified of pending administrative separation action by reason of convenience of the government due to the diagnosed character disorder. You were afforded all of your procedural rights including the opportunity to submit a statement on your behalf. On 2 May 1966, the separation

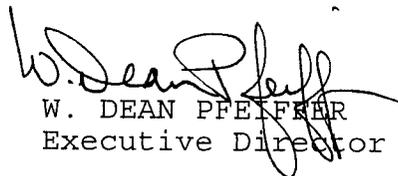
authority directed type warranted by service record discharge by reason of unsuitability. On 19 May 1966 you received a general discharge.

Characterization of service is based in part on conduct and proficiency averages computed from marks assigned on a periodic basis. Your conduct average was 1.0. At the time of your service, a conduct average of 3.0 was required for a fully honorable characterization of service.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your characterization of service given your two SPCM convictions, the diagnosed character disorder, and your failure to attain the required average in conduct. 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