



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

SMS
Docket No: 4474-08
5 February 2009



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 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.

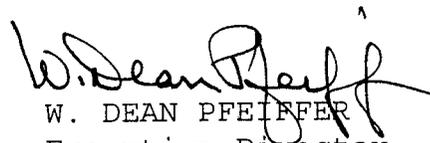
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

On 1 February 1974, you enlisted in the Navy at age 18. On 26 June 1974, you had nonjudicial punishment for drunk and disorderly conduct and disrespect. On 7 July 1975, you were hospitalized for a psychiatric evaluation due to you having fits of anger, losing your temper, threatening to kill others or yourself, and indicating that you had no intention of agreeing to military standards. You were released from psychiatric care the following day after having been diagnosed as having an immature personality and recommended for administrative separation. On 28 July 1975, your commanding officer initiated administrative separation by reason of convenience of the government due to unsuitability. In connection with this processing, you acknowledged the separation action and in doing so also acknowledged that your characterization of service would be determined as warranted by your service record. On 31 July 1975, you were separated with a general discharge by reason of convenience of the government due to unsuitability.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth and desire for an honorable discharge. The Board also considered your contentions that emotional stress contributed to your discharge and that you served honorably. Nevertheless, the Board found that these factors and contentions were not sufficient to warrant recharacterization of your service. In this regard, characterization of service for members who are discharged by reason of convenience of the government is determined by their conduct, actions, and overall trait and behavior marks assigned on a periodic basis. Although your overall trait and behavior marks were satisfactory, given your misconduct, the Board found that your service warranted a general characterization of service. 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 PFEIFFER
Executive Director