



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

SMS
Docket No: 4567-08
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 11 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 27 January 1967, you were inducted into the Marine Corps at age 21 after an honorable period of service in the Marine Corps Reserve. On 21 March 1967, you reported to the Staging Battalion at Camp Pendleton to await orders. On 18 April 1967, you began an unauthorized absence (UA) and missed the movement of your unit when you failed to comply with your orders. On 19 April 1967, you surrendered, but it appears that no disciplinary action was taken for these offenses. On 25 May 1967, you began another UA and missed the movement of your unit when you failed to comply with a different set of orders. On 22 June 1967, you surrendered at Keesler Air Force Base and were subsequently hospitalized. On 19 June 1967, you had nonjudicial punishment for the 27 day period of UA and missing the movement of your unit.

On 22 September 1967, a medical board found that you had a longstanding emotionally unstable personality and recommended discharge. In connection with this processing, you

acknowledged the medical board's finding and recommendation. Based on the information currently contained in the record, it appears that your commanding officer subsequently initiated administrative separation by reason of convenience of the government due to unsuitability. In connection with this processing, you would have acknowledged the separation action and that characterization of service would be determined as warranted by your service record. Apparently, the separation authority approved the recommendation and directed a general discharge by reason of convenience of the government due to unsuitability. On 3 October 1967, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth, service in the Marine Corps Reserve, and desire for an honorable discharge. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your service in the Marine Corps. 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 proficiency and conduct marks assigned on a periodic basis. Minimum acceptable proficiency and conduct marks of 3.8 and 4.0, respectively, were required to form the basis for a fully honorable characterization of service. You did not receive proficiency marks after you were inducted into the Marine Corps, but you do have a conduct mark average of 3.0. Given your misconduct and failure to attain the conduct mark average required for a fully honorable characterization of service, the Board found that your service warranted a general characterization of service. The Board noted that you were fortunate to have received a general discharge by reason of convenience of the government, since your misconduct met the administrative requirements for an undesirable discharge. 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.

The Board also noted that as a result of your general characterization of service in the Marine Corps, you may be eligible for veterans' benefits. You should contact the nearest office of the Department of Veterans Affairs if you desire clarification about your eligibility for those benefits.

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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán". The signature is written in black ink and is positioned above the typed name.

ROBERT D. ZSALMAN
Acting Executive Director