



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

SMS
Docket No: 4653-08
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 1 July 1964, you enlisted in the Marine Corps at age 18 after a period of honorable service in the Marine Corps Reserve. On 21 September 1964, you reported to an overseas command for duty and subsequently participated in direct support of military operations in Vietnam until 8 October 1965. On 19 November 1965, you reported to a stateside command for duty. On 10 December 1965, you had nonjudicial punishment (NJP) for a three day period of unauthorized absence (UA). On 13 December 1965, you received a psychiatric evaluation during which you stated that you were unable to drive in heavy traffic and could not tolerate hearing a radio or voices in the barracks. The evaluation diagnosed you as having an inadequate personality and recommended discharge. On 16 December 1965, you began a UA that ended on 3 January 1966, a period of about 16 days. On 7 January 1966, you had NJP for the 16 day period of UA and breaking restriction.

On 10 January 1966, your commanding officer initiated administrative separation by reason of unsuitability, and recommended a general characterization of service. In connection with this processing, you acknowledged the separation action. On 24 January 1966, the separation authority approved the recommendation and directed a general discharge by reason of unsuitability. On 25 February 1966, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potential mitigation, such as your youth, psychiatric evaluation, and desire for an honorable discharge. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your service. In this regard, characterization of service for members who are discharged by reason of unsuitability is determined by their conduct, actions, and proficiency and conduct marks assigned on a periodic basis. Minimum acceptable average proficiency and conduct marks of 3.8 and 4.0, respectively, were required to form the basis for a fully honorable characterization of service. Your average proficiency and conduct marks were 3.7 and 3.8, respectively. Given your disciplinary actions and failure to attain the proficiency and conduct mark averages required for a fully honorable characterization of discharge, 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.

The Board noted that as a result of your general characterization of service, 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".

ROBERT D. ZSALMAN
Acting Executive Director