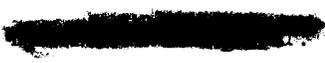




**DEPARTMENT OF THE NAVY**  
**BOARD FOR CORRECTION OF NAVAL RECORDS**  
**2 NAVY ANNEX**  
**WASHINGTON DC 20370-5100**

BAN  
Docket No: 04755-08  
3 March 2009



This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 24 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 Marine Corps on 1 March 1988, and served without disciplinary incident until 24 May 90, when you received a nonjudicial punishment (NJP) for failure to obey a lawful order.

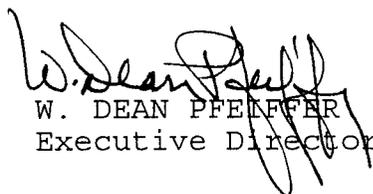
Shortly thereafter, on 2 August 1991, you received NJP for disrespect in language toward a noncommissioned officer and failure to obey a lawful order. On 3 October 1991, you received another NJP for conspiring to wrongfully introduce seven tablets of LSD onto a military installation through the U.S. mail. Therefore, on 13 December 1991, you were recommended for separation with an other than honorable (OTH) discharge for misconduct due to drug abuse. On 24 December 1991, the separation authority approved the recommendation and on 24 December 1991, you were separated with an OTH discharge and an

RE-4B reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and the passage of time. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge, a change to your separation or reenlistment code because of the seriousness of your misconduct. 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 block 28 (Narrative Reason for Separation) of your DD Form 214 should read "Misconduct - Drug Abuse" vice "Conduct Triable by Court Martial [sic] (Request for Discharge) For Good of The Service.". If you would like this change, please request it from Headquarters Marine Corps (Code MMSB).

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