



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

TJR  
Docket No: 5210-08  
5 February 2009

[REDACTED]

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 3 February 2009. The names and votes of the members of the panel will be furnished upon request. 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 on 30 September 1971 and were honorably discharged on 12 August 1974. At that time you were issued a Certificate of Discharge or Release from Active Duty (DD Form 214), a copy of which is attached.

You reenlisted in the Navy on 13 August 1974 after three years of prior honorable service and continued to serve without disciplinary incident. About two months later, on 30 October 1974, you were referred for a psychiatric evaluation for your passive aggressive behavior. You were diagnosed with a personality disorder and recommended for an administrative separation.

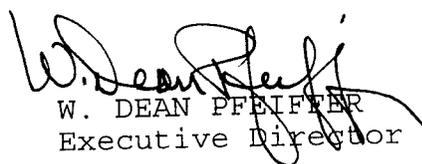
Subsequently, you were processed for an administrative separation by reason of convenience of the government due to unsuitability as evidenced by your substandard personal behavior. The discharge authority directed discharge under honorable conditions, and on 22 November 1974 you were issued a general discharge.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.7. An average of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior honorable service and desire to upgrade the characterization of your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your general discharge because of your substandard personal behavior and since your conduct average was insufficiently high to warrant an honorable discharge. Accordingly, your application has been denied.

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

Enclosure