



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

RDZ:ecb  
Docket No. 06055-08  
15 July 2009

[REDACTED]

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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 8 July 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

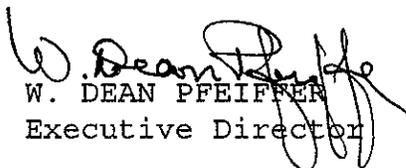
You enlisted in the Marine Corps on 15 January 1958. Between 17 October 1958 and 23 August 1960 you received two summary court-martials and three nonjudicial punishments. Your offenses were eight days of unauthorized absence, disobedience of an order, absence from appointed place of duty, failure to make muster, drunk and disorderly conduct and being disrespectful. As a direct result of this misconduct your military behavior marks averaged 3.6 when you were released from duty. Because a mark of 4.0 was required for a fully honorable discharge you

In its review of your application the Board concluded that in view of your frequent acts of misconduct and failure to attain a mark of 4.0 in military behavior your discharge was proper as issued and should not be changed now as a matter of clemency. Indeed the Board believed that you were fortunate to have received a general discharge since Marines with disciplinary records such as your were usually awarded undesirable discharges.

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