



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

RDZ:ecb  
Docket No. 06545-08  
29 October 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 27 October 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 30 January 1964 for a term of four years. Between May of 1965 and December of 1966 you received one nonjudicial punishment and were convicted by one special court-martial and two summary court-martials. Your offenses were four periods of unauthorized absence (UA) totaling 27 days, breaking straggler's orders and sleeping on post. On 9 February 1967 you received a second special court-martial for 28 days of UA and breaking straggler's orders. Your punishment for these last offenses included four months of confinement at hard

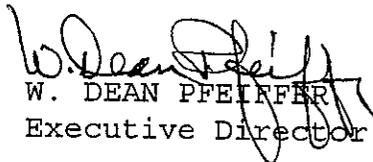
labor and a bad conduct discharge (BCD). On 24 April 1967 you waived restoration to duty and requested that BCD be issued.

In view of the frequency and almost continuous nature of your offenses as well as the length of several of your UA's and your waiver of restoration to duty the Board concluded that your discharge was properly issued and should not be changed now as a matter of clemency.

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