



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

SJN
Docket No: 06889-08
21 May 2009

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your late father, Mr. Ronald P. Leeper, 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 13 May 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 late father's 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.

Your late father enlisted in the Navy and began a period of active duty on 17 December 1957 at age 17. On 30 March 1959, he received nonjudicial punishment (NJP) for underage drinking. He received two weeks of extra duties. On 23 June 1959, he began a period of unauthorized absence (UA) that lasted three days, when he was apprehended and charged with three counts of burglary by civil authorities. On 5 August 1959, your late father was convicted of burglary, larceny and receiving stolen property. He was sentenced to spend three years in jail.

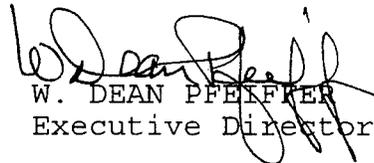
On 2 October 1959, his commanding officer (CO) recommended that your late father receive an undesirable discharge by reason of misconduct due to the civil conviction. Subsequently, his case was forwarded, and on 30 October 1959, he received an undesirable discharge.

The Board, in its review of your late father's entire record and your application, carefully weighed all potentially mitigating factors such as his youth and post service accomplishments. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of his discharge based on his NJP, and especially his civil conviction and subsequent incarceration for very serious offences. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

You may obtain a copy of your late father's naval record by submitting the enclosed Request Pertaining to Military Records, (SF 180) and Medical Certificate of Death, to the National Personnel Records Center (Military Personnel Records), 9700 Page Boulevard, St. Louis, Missouri 63132.

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