



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

BJG
Docket No: 8732-08
17 June 2009

Dear [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 17 June 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 and medical records, and applicable statutes, regulations and policies.

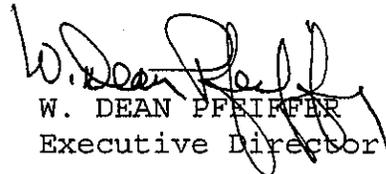
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board found that you entered active duty in the Navy on 2 November 1979. On 10 March 1980, you were dropped from "A" school for lack of motivation and received an adverse performance evaluation. You received nonjudicial punishment on five occasions for six instances of unauthorized absence (UA) totaling approximately 49 days, and wrongful appropriation of government property. On 3 December 1981, you were notified of pending administrative discharge processing for misconduct due to frequent involvement of a discreditable nature with military authorities. You waived all of your rights. On 19 February 1982, you received

a general discharge for misconduct due to frequent involvement of a discreditable nature with military authorities, and were assigned an RE-4 reenlistment code.

The Board, in its review of your entire record, carefully weighed all potential mitigation, such as your youth, the passage of time, and your post service good conduct. Nevertheless, the Board concluded that these factors were not sufficient to warrant recharacterization of your general discharge because of your repetitive misconduct. You are advised that no discharge is automatically upgraded based solely on the passage of time. In view of the above, 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