



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

CRS
Docket No: 8815-08
8 December 2008

[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 29 October 2008. 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.

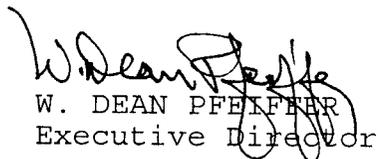
The Board found that you enlisted in the Navy on 19 September 1973, and executed a 12 month extension agreement on 19 November 1973. You received three nonjudicial punishments for offenses that included an unauthorized absence of 29 days, disrespect, failure to obey a lawful order, dereliction of duty, and absence from appointed place of duty. You were separated from the Navy by reason of substandard performance of duty on 20 December 1976, with a general discharge.

The Board did not accept your unsubstantiated contention to the effect that you were improperly retained on active duty beyond the expiration of your active service obligation. It concluded that your service was properly characterized as under honorable conditions in view that your extensive disciplinary record, and that you have not demonstrated that it would be in the interest of justice for the Board to upgrade your discharge to honorable. 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