



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

CRS
Docket No: 10843-08
19 January 2010

[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 6 January 2010. 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 reenlisted in the Navy on 26 May 1989. A general court-martial convened on 12 April 1993 and found you guilty of wrongful appropriation of \$1353.60 in United States Government funds. The court sentenced you to confinement for ninety days, forfeiture of \$250.00 pay per month for three months, and reduction in pay grade.

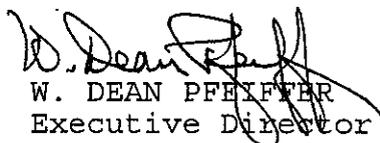
On 22 June 1993 an administrative discharge board (ADB) recommended that you be separated with a discharge under other than honorable conditions by reason of misconduct due to the commission of a serious offense. After review by the discharge authority the recommendation was sent to the Secretary of the Navy for approval. Upon approval, you were discharged on 2 November 1993 with a discharge under other than honorable conditions.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, overall record, and the contention that you should have received a

general discharge since the general court-martial did not discharge you. The Board concluded that those factors were insufficient to warrant recharacterization of your discharge, given the serious nature of your misconduct. 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