



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

BJG

Docket No: 10852-08

26 August 2009



[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 25 August 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.

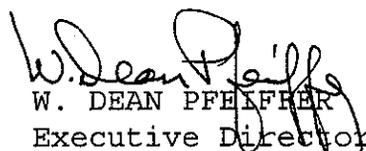
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board found that you entered active duty in the Navy on 2 July 1953. You received a captain's mast and a summary court-martial for an unauthorized absence of about three days and disrespect to a superior commissioned officer. Your record also includes a charge of disobedience of a petty officer, with no disciplinary action taken. On 28 June 1957, you received a general discharge under honorable conditions at the end of your active obligated service. On 4 July 1959, you received a general discharge from the Naval Reserve, and were not recommended for reenlistment due to unsatisfactory progress.

Characterization of service is based in part on trait marks assigned on a periodic basis. Your overall trait average was 2.87. A 3.0 overall trait average was required for a fully honorable characterization of service.

The Board, in its review of your entire record, carefully weighed all potential mitigation, such as your youth and desire to receive property tax relief. Nevertheless, the Board concluded that these factors were not sufficient to warrant upgrading your general discharge because of your misconduct and insufficiently high overall trait mark average. 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