



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

JRE

Docket No. 03212-09
10 July 2009

[REDACTED]

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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 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 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.

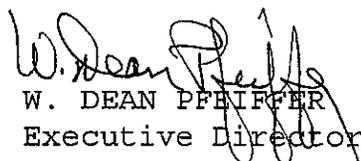
The Board found that you enlisted in the Marine Corps on 19 June 1973. You were diagnosed with a passive aggressive personality on 10 February 1976. On 18 February 1976 you admitted that you had used hallucinogens such as LSD, and that you had a history of flashbacks. You were discharged for the convenience of the government on 9 June 1976, with a discharge under honorable conditions. On 15 September 1977, the Naval Discharge Review Board (NDRB) denied your request for upgrade of your general discharge. In your application to the NDRB you attributed your problems in the Marine Corps to immaturity and personal

problems, such as sexual inadequacy. You did not contend that you were suffering from physical or psychological problems that were related to an injury you sustained in 1975, as you now allege.

The Board could not find any indication in the available records that you were unfit for further service by reason of physical disability on 9 June 1976. 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