



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

REC  
Docket No: 08402-09  
9 June 2010

[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 9 June 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps on 7 February 1984, at the age of 17. On 8 August 1985, you received nonjudicial punishment (NJP) for causing damage to military property. On 30 August 1985, you received NJP for willful destruction of military property and being absent from your appointed place of duty. On 17 November 1985, you received NJP again for being absent from your appointed place of duty. On 13 March 1986, you were convicted at a special court-martial (SPCM) for being in an unauthorized absence status (UA), violation of a lawful general order, operating a vehicle while drunk, wrongful use of marijuana, being absent from your appointed place of duty, and being UA from a field exercise. You were sentenced to a forfeiture of \$600, reduction in pay grade, confinement at hard labor for two months and a bad conduct discharge (BCD). After appellate review, you were so discharged on 17 October 1986.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your discharge given your record of three NJP's and conviction

by SPCM. 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