



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

RDZ:ecb  
Docket No. 11658-09  
25 June 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 23 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

Your record shows that you enlisted in the Navy on 23 July 1992 for a term of four years and on that same day you executed a twelve month extension for guaranteed training as an equipment operator. You then performed your military duties in a highly proficient manner and had no disciplinary action until 27 June 1996 when you received nonjudicial punishment for wrongful use of marijuana based on a Navy drug lab report as well as your written admission that you used marijuana while you were intoxicated. An administrative discharge board (ADB) was convened and unanimously recommended that you be separated with an other than honorable discharge (OTH). Following a review of these proceedings by Navy discharge authorities you were separated with an OTH on 20 September 1996.

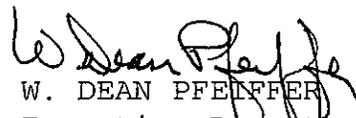
In its review of your case the Board concluded that in view of serious nature of your offense namely drug abuse, your discharge was proper

as issued and should not be changed now as a matter of clemency. In this regard the Board particularly noted that at the very outset of your enlistment you were fully informed of the Navy's zero tolerance drug policy and the serious consequences that would follow any violation.

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