



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

BJG

Docket No: 12606-09

25 August 2010

[REDACTED]

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This is in reference to your application for correction of your late father's naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

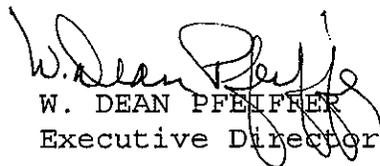
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 August 2010. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your father's 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 your father entered active duty in the Navy on 3 July 1942. He received a captain's mast, a summary court-martial, and two general courts-martial (GCM). His offenses included unauthorized absence ((UA) two specifications totaling 154 days), and missing ship's movement. At his second GCM, his sentence included a dishonorable discharge (DD), but it was held in abeyance until the completion of a probationary period. However, he entered another UA totaling 81 days. He received the DD on 25 April 1947.

The Board, in its review of your father's entire record, carefully considered all potential mitigation, such as his youth and mental health issues. Nevertheless, the Board concluded that these factors were not sufficient to warrant upgrading his discharge because of his lengthy periods of UA during war time. 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