



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

BJG  
Docket No: 12922-09  
2 September 2010



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 31 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 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 entered active duty in the Marine Corps on 2 June 1975. You received nonjudicial punishment on six occasions for disrespect to a noncommissioned officer (two specifications), unauthorized absence (two specifications totaling ten days), absence from your appointed place of duty, and being derelict in the performance of your duties. You were notified of pending administrative separation processing with an other than honorable (OTH) discharge due to misconduct. You elected to have your case heard by an administrative discharge board

(ADB), which met and found that you had committed misconduct and recommended your separation with an OTH discharge. The discharge authority concurred with the ADB's finding and recommendation. You were so discharged on 7 May 1979, and assigned an RE-4 (not recommended for retention) reenlistment code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth and alcohol abuse. However, the Board concluded that your OTH discharge should not be changed due to your numerous acts of misconduct. 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.

Regarding your request to change your birth date on your Certificate of Release or Discharge from Active Duty (DD Form 214), you may contact Headquarters Marine Corps (Code MMSR), 3280 Russell Road, Quantico, Virginia 22134.

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 PREIFFER  
Executive Director