



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

CRS
Docket No: 161-10
3 May 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 28 April 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.

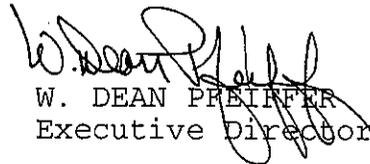
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 18 September 1987. On 28 June 1989 you were convicted by a special court-martial of numerous unauthorized absences and violation of orders. The court sentenced you to a forfeiture of \$100.00, confinement at hard labor for two months, reduction in rank, and a bad conduct discharge. You were absent without authority from 2 October 1989 to 4 October 1991. You were separated from the Navy on 4 December 1991 with a bad conduct discharge upon your return to military control.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, overall service record, and the contention that you had posttraumatic stress disorder (PTSD) that caused your misconduct. The Board concluded that those factors were insufficient to warrant recharacterization of your service. Further, there is no credible evidence that you suffered from PTSD while in the Navy. 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