



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

BJG

Docket No: 772-10

13 October 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 5 October 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. You entered active duty in the Marine Corps on 14 December 1978. You received nonjudicial punishment on seven occasions for unauthorized absence (two specifications totaling 20 days), disobedience, dereliction of duty, larceny, assault, disrespect, and drunk on duty. You were notified of pending administrative separation processing with an other than honorable discharge due to misconduct (frequent involvement). 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

other than honorable discharge. The discharge authority concurred with the ADB's finding and recommendation. On 25 February 1981, you were issued a DD Form 214 (Certificate of Release or Discharge from Active Duty), which had "General" typed in block 24 (Character of Service). However, on 18 February 1982, this mistake was discovered and a DD Form 215 (Correction to DD Form 214) was issued, and block 24 was changed to "Under Other than Honorable Conditions" (see enclosure).

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth. However, the Board concluded that your other than honorable 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.

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

Enclosure