



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

BJG  
Docket No: 1827-10  
9 November 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 9 November 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 Navy on 18 January 1955. You received nonjudicial punishment on three occasions and were convicted by three summary courts-martial. Your offenses included unauthorized absence (two specifications totaling three days), disrespect (two specifications), disobedience of a lawful order, wrongfully smoking in the doorway of a gasoline station, absence from your appointed place of duty, wrongfully possessing another Sailor's clothing, and sleeping during working hours. You were notified of pending administrative separation processing with an undesirable discharge (UD) due to unfitness. You elected to

have your case heard by an administrative discharge board (ADB) that found you had committed misconduct, and recommended a UD due to unfitness. Your commanding officer concurred with the ADB's finding and recommendation. You received the UD due to unfitness on 29 January 1957.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, remorse, post service good conduct, current medical problems, and character reference letters. However, the Board concluded that your discharge should not be changed due to your numerous acts of misconduct. You are advised that no discharge is upgraded due merely to the passage of time or post service good conduct. 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