



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD
ARLINGTON, VA 22204

SJN

Docket No: 03088-10

10 January 2012

[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 January 2012. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

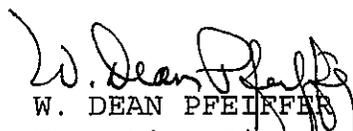
You enlisted in the Navy and began active duty on 29 May 1963. During the period from 16 December 1963 to 19 October 1965, you received four nonjudicial punishments (NJP's) for three periods of unauthorized absence (UA) totaling 12 days, dereliction of duty (sleeping on watch), and disobedience (introducing a habit forming drug on board ship). On 11 April 1966, you were convicted by SPCM of UA, and missing movement through neglect. On 17 August 1966, you were arrested and convicted by civil authorities of soliciting for prostitution. On 8 September 1966, you received a fifth NJP for two periods of UA totaling 17 days and breaking restriction. Subsequently, administrative discharge action was initiated and it was recommended that you receive an undesirable discharge by reason of unfitness. You were notified of pending administrative separation action. After being informed of your procedural rights, your case was forwarded recommending that you received

an undesirable discharge. On 27 September 1966, the convening authority concurred and directed an undesirable discharge. On 17 and 20 October 1966, you received NJP for 13 days of UA and disobedience. You were so discharged on 2 November 1966.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, and post service accomplishments. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your seven NJP's, civil conviction, and conviction by SPCM. Finally, the Board noted that you waived the right to an ADB, your best chance for retention or a better characterization of service. 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