



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

TAL
Docket No: 3506-10
23 February 2011

[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 16 February 2011. 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 Marine Corps and began a period of active duty on 5 January 1981 at age 20. On 22 May 1981, you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty. On 18 June 1982, you received NJP for unauthorized absence (UA) from your unit for a period of 28 days. On 30 December 1982, you were convicted by summary court-martial of UA from your unit for a period of 57 days. Based on the information currently contained in your record it appears that you were subsequently processed for separation by reason of fraudulent entry. In connection with this processing, you would have acknowledged the separation action and the separation authority would have approved a recommendation for separation. The record clearly shows that on 11 February 1983, you were discharged with a general characterization of service by reason of fraudulent entry.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors; however, you presented no evidence to show that you are eligible for the Good Conduct Medal (GCM). The GCM requires a four year period without disciplinary action. The Board noted that you should

contact Headquarters, United States Marine Corps, Deputy Chief of Staff for Manpower and Reserve Affairs (M&RA) Department, Code MMER, 3280 Russell Road, Quantico, Virginia 22134-5103 to request that administrative corrections be made to your Certificate of Discharge or Release from Active Duty (DD Form 214) such as, but not inclusive of, your date of discharge, length of service, awards, and overseas time. 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