



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

CRS
Docket No: 4295-10
18 October 2010

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record dated 20 April 2010, in which you requested correction of your characterization of service and your reentry code. The Board did not consider your request for correction of your reentry code as that request was previously denied, and you have not submitted any new material evidence concerning that request.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 September 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 Marine Corps on 12 June 1985. You received nonjudicial punishment on two occasions for offenses that included damaging a military vehicle, leaving post prior to being relieved, and cashing 13 worthless checks.

A special court-martial convened on 11 August 1989 and found you guilty of an unauthorized absence and cashing 36 worthless checks. The court sentenced you to confinement for four months, forfeiture of \$466.00 per month for four months, reduction in rate, and a bad conduct discharge. You were so discharged with a bad conduct discharge on 9 January 1991.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and overall service record. The Board concluded that those factors were

insufficient to warrant recharacterization of your service, given the nature and severity of your offenses. 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