



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

CRS
Docket No: 5770-10
18 April 2011

[REDACTED]

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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 13 April 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 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 26 April 1984. You received nonjudicial punishment on four occasions for offenses that included an unauthorized absence, disrespect, failure to go to appointed place of duty, and failure to obey a lawful order.

On 24 July 1987 your commanding officer recommended that you be separated from the Marine Corps by reason of misconduct/minor disciplinary infractions, with a discharge under other than honorable conditions. After review by the discharge authority, the recommendation for separation was approved and on 18 September 1987 you were separated by reason of misconduct with a discharge under other than honorable conditions.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth and post service conduct. The Board concluded that those factors were insufficient to warrant recharacterization of your service, given your four nonjudicial punishments. 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