



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

TJR  
Docket No: 6087-10  
24 March 2011

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 22 March 2011. The names and votes of the members of the panel will be furnished upon request. 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 on 11 March 1966 at age 18 and began a period of active duty. About seven months later, on 27 October 1966, you were convicted by summary court-martial (SCM) of two periods of unauthorized absence (UA) totalling 61 days and failure to obey a lawful order. On 19 June 1967 and again on 23 August 1968 you received nonjudicial punishment (NJP) for absence from your appointed place of duty and a 10 day period of UA.

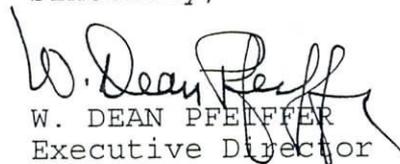
On 18 March 1969 you were convicted by special court-martial (SPCM) of a 136 day period of UA. You were sentenced to reduction to paygrade E-1, a \$140 forfeiture of pay, confinement at hard labor for four months, and a bad conduct discharge (BCD). The BCD was subsequently disapproved at all levels of review. Nonetheless, you were processed for an administrative separation by reason of misconduct as evidenced by your record of misconduct. The separation authority directed your commanding officer to separate you under other than honorable conditions by reason of misconduct. On 27 June 1969 you were issued a Certificate of Discharge or Release from Active Duty (DD Form

214) which reflected "released from active duty under other than honorable conditions by reason of misconduct." However, you were retained until 20 December 1972, at which time you were issued a general discharge at the expiration of your enlistment.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change the characterization of your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of your repetitive misconduct and lengthy periods of UA which resulted in two NJPs and two courts-martial. Finally, the Board concluded that you were fortunate to have received a discharge under honorable conditions with having such an extensive record of misconduct. Accordingly, your application has been denied.

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