



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

REC
Docket No: 07973-10
19 April 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 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy Reserve and began a period of active duty on 28 February 1975. On 10 July 1975, you received nonjudicial punishment (NJP) for being in an unauthorized absence (UA) status for eight days. Your record is incomplete, but apparently, you were administratively separated for the convenience of the government with a type warranted by service record characterization. On 21 August 1975, you received a general discharge for the convenience of the government and were assigned an RE-4 (not recommended for retention) reenlistment code.

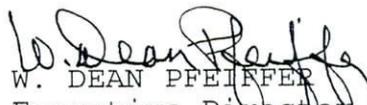
Character of service is based in part on conduct marks assigned on a periodic basis. Your conduct mark average was 2.8. A 3.0 conduct mark average was required at the time of your discharge for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity. However, the Board found that these factors were not sufficient to warrant any change in your

character of service, given your record of one NJP for misconduct and insufficiently high conduct average. The Board also noted that you were fortunate to receive a general discharge since a separation under other than honorable conditions is often directed when an individual is found to have committed misconduct. 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

