



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

SJN
Docket No: 08558-10
18 October 2010



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 October 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps Reserve on 16 November 1985 and began a period of active duty for training on 9 June 1986. On 3 February 1987, you were honorably released from initial active duty for training (IADT). Based on the information currently contained in your record you were counseled regarding your deficient performance (unauthorized absence (UA)) from drills. You were warned that further deficiencies could result in administrative discharge action. Your record reflects that you had not attended a scheduled drill since 17 July 1988. Subsequently, based on your non-participation in drills, administrative discharge action was initiated and on 11 August 1989, the discharge authority directed an other than honorable (OTH) discharge. You waived your procedural right to an administrative discharge board (ADB) and received the OTH discharged on 19 September 1989 due to unsatisfactory participation.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and record of service. Nevertheless, the Board found that these factors

were not sufficient to warrant recharacterization of your discharge given your failure to drill with your reserve unit. The Board noted that you waived your right to an ADB, your best opportunity for retention of better characterization of service. 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