



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

TJR
Docket No: 10285-10
8 July 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 6 July 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 Naval Reserve on 8 April 1944 at age 17 and began a period of active duty on 25 April 1944. You served without disciplinary incident until 11 October 1944, when you were convicted by summary court-martial (SCM) of a four day period of unauthorized absence (UA).

On 28 March 1945 you were convicted by deck court (DC) of failure to obey a lawful order by taking prohibited materials ashore, specifically, five spools of thread and two pieces of cloth. About four months later, on 5 July 1945, you were convicted by SCM of two specifications of disobedience.

On 25 June 1946, at the expiration of your enlistment, you were issued a general discharge under honorable conditions. The following day, on 26 June 1946, you reenlisted in the Navy, served without disciplinary incident, and were honorably discharged at the expiration of your reenlistment.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to upgrade the characterization of your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your general discharge because of the seriousness your frequent and repeated misconduct, which resulted in three convictions. 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