



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

SJN  
Docket No: 00933-11  
2 November 2011

[REDACTED]

[REDACTED]

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 1 November 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 and began a period of active duty on 21 January 1978. The Board found that you received two nonjudicial punishments (NJP's) for going from your appointed place of duty, making a false official statement and absence from your appointed place of duty. Subsequently, administrative discharge action was initiated by reason of unsuitability. You elected not to submit a statement and did not object to the separation. Your case was forwarded recommending that you be discharged under honorable conditions by reason of convenience of the government due to unsuitability. Your commanding officer stated, in part, that you had created an administrative burden due to your disciplinary infractions, your performance had been substandard, and you had not shown improvement to justify further service. The separation authority concurred and directed that you receive a general discharge due to unsuitability. You were so discharged on 21 August 1981.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service, and belief that your characterization of service would change automatically after six months. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your characterization of service given your two NJP's, unsatisfactory performance, and the fact that you elected not to make a statement and did not object to the separation. Finally, you are advised that there is no provision of law or in Navy regulations that allows for recharacterization automatically after six months or due solely to the passage of time. 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