



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD  
ARLINGTON, VA 22204

SJN  
Docket No: 01347-11  
10 January 2012



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 5 January 2012. 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 and began a period of active duty on 30 January 1970. The Board found that on 30 June 1970, you were released from active duty for training with a Marine Corps Reserve obligation until 29 December 1975. During the period from 4 November 1974 to 20 January 1975, three letters were forwarded to you concerning your unsatisfactory participation in the Marine Corps reserve. Subsequently, administrative discharge action was initiated by reason of unfitness. On 2 September 1975, a certified letter of notification of an administrative discharge board (ADB) was forwarded to you, informing you of the date of your ADB. On 13 September 1975, an ADB recommend that you be separated due to unfitness with an undesirable discharge. On 23 September 1975, your letter of notification and statement of awareness was return undeliverable. On 21 October 1975, your commanding officer recommended an undesirable discharge by reason of unfitness. On 9 December 1975, the separating authority directed an undesirable discharge. You were so discharged on 28 December 1975.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, prior honorable service, and record of overall 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 and the fact that you did not keep your unit informed of your living address. It is also noted that you waived the right to have your case heard by an ADB when you failed to respond to the letter of notification of your ADB hearing, which was your best chance for retention or a 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