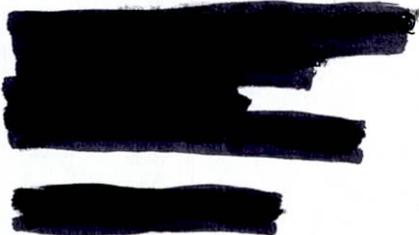




DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

REC  
Docket No: 03553-11  
16 February 2012



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 15 February 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.

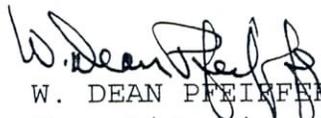
You enlisted in the Navy and began a period of active duty on 24 May 1989. You served more than 18 years of honorable service. However, on 8 August 2007, you received nonjudicial punishment (NJP) for wrongful use of a controlled substance (cocaine). On 15 October 2007, administrative separation action was initiated by reason of misconduct. You elected to have your case heard by an administrative discharge board (ADB), which found that you had committed misconduct, and recommended a general characterization of service. Your commanding officer concurred with the ADB's finding and recommended that you be discharged under general conditions by reason of misconduct (drug abuse). On 5 September 2008, the discharge authority directed a general discharge by reason of misconduct (drug abuse). On 19 September 2008, you were discharged and received a general

characterization of service by reason of misconduct. At that time you were assigned an RE-4 reentry code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior honorable service. However, the Board found that these factors were not sufficient to warrant any change in your character of service, given your record of NJP for misconduct. 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