



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

SJN

Docket No: 03700-11  
1 February 2012

[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 31 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.

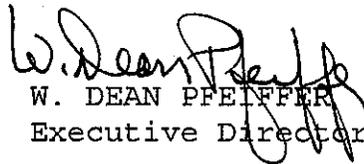
You enlisted in the Navy and began a period of active duty on 4 January 1972. The Board found that between 11 November 1973 and 19 December 1975, you received six nonjudicial punishments (NJP's) for two periods of unauthorized absence (UA), four instances of disobedience, dereliction of duty, wrongful possession of marijuana, and resisting apprehension. Additionally, you were convicted by two summary courts-martial (SCM's) of three periods of UA and disobedience. You remained on active duty until you were discharged under honorable conditions on 16 January 1976.

Characterization of service is based in part on conduct and proficiency averages computed from marks assigned on a periodic basis. Your conduct average was 2.9. At the time of your service, a conduct average of 3.0 was required for a fully honorable characterization of service.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, Vietnam service, character letters, and desire to upgrade your characterization of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your characterization of service given your six NJP's, SCM convictions, and failure to attain the required average in conduct. 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