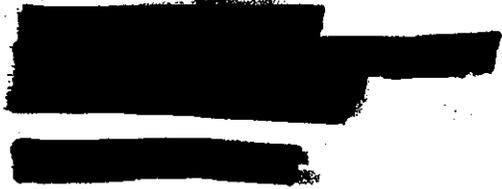




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

SJN
Docket No: 03762-11
27 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 24 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.

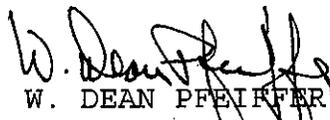
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

On 24 November 1966, you reenlisted in the Marine Corps after serving over three years of honorable service. The Board found that you received two nonjudicial punishments (NJP's) for two periods of unauthorized absence (UA) totaling 56 days. You also were convicted by special court-martial (SPCM) of two periods of UA totaling 229 days and breaking restriction. On 18 June 1969, you were the subject of an interview about illegal use of marijuana and glue sniffing. However, you declined to provide a sworn statement concerning the information you had provided. Subsequently, administrative discharge action was initiated and it was recommended that you receive an undesirable discharge by reason of unfitness due to your drug addiction. After you were afforded all of your procedural rights, you waived your right to an administrative discharge board (ADB). Your case was forwarded and you received an undesirable discharge on 29 September 1969.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record service, and combat service in Vietnam. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your two NJP's and conviction by SPCM of periods of UA totaling over seven months. Finally, the Board noted that you waived the right to an ADB, your best opportunity 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