



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

TAL  
Docket No: 4061-11  
19 January 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 12 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 30 March 1962 at age 17. On 1 November 1962, you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty and failure to obey a lawful order. On 28 January 1963 you were convicted by special court-martial (SPCM) of unauthorized absence (UA) from your unit for a period totaling 17 days. The sentence imposed was reduction in paygrade, and a forfeiture of pay. On 7 November 1963, you received NJP for UA from your unit for a period of 14 days and missing ship's movement. On 16 March 1964, you were convicted by summary court-martial (SCM) of dereliction in the performance of duty. On 9 January 1965, you again received NJP for failure to go to your appointed place of duty. You remained on active duty until you completed your active duty obligation on 3 February 1965, when you were discharged under honorable conditions.

Characterization of service is based in part on conduct mark averages computed from marks assigned on a periodic basis. Your conduct average was 1.98. At the time of your service, a conduct average of 3.00 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 and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your discharge given the seriousness of your misconduct that resulted in two NJPs, a SCM, a SPCM 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