



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

TAL  
Docket No: 4323-11  
27 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 25 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.

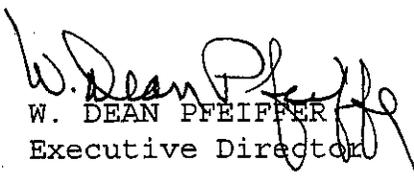
You reenlisted in the Navy on 9 September 1989 after more than 18 years of prior honorable service. On 13 January 1989, you tested positive for amphetamine/methamphetamine during a command urinalysis and were placed on urinary surveillance twice a week for four weeks. On 22 November 1989, you received nonjudicial punishment (NJP) for unauthorized absence (UA) from your unit for a period of five days. On 30 November 1989, you were the subject of a preliminary inquiry to investigate your conduct as a senior noncommissioned officer. It was stated in part that you demonstrated a complete lack of integrity by receiving NJP as a gunnery sergeant for impeding an investigation by your commanding officer involving filling a urine sample bottle with water. On 30 November 1989, you were notified that administrative discharge action was initiated to separate you by reason of misconduct due to drug abuse. You elected to consult

with legal counsel and subsequently requested an administrative discharge board (ADB). On 10 January 1990, an ADB unanimously found that you had committed misconduct and recommended that you be discharged under other than honorable (OTH) conditions due to drug abuse. On 14 March 1990, the separation authority concurred with the ADB and forwarded his recommendation to the Secretary of the Navy, who concurred as well. On 14 May 1990, the Commandant of the Marine Corps approved and directed an OTH discharge by reason of misconduct due to drug abuse. On 22 May 1990 you were so discharged.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your prior honorable service. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given the seriousness of your 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