



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

SJN
Docket No: 04436-11
15 February 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 14 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.

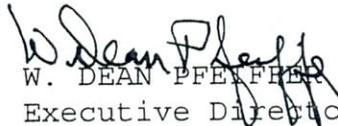
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 21 September 1973. The Board found that during the period from 28 February to 1 August 1974, you received four nonjudicial punishments (NJP's) for abandoning your duty section, 10 instances of unauthorized absence (UA) totaling 44 days, absence from your appointed place of duty, and wrongful possession of marijuana. On 10 September 1974, you received a general discharge by reason of unsuitability due to apathy and/or defective attitude. You were afforded all of your procedural rights including the opportunity to submit a statement on your behalf.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your relatively short period of service and the reason you were discharged. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your service given your four NJP's in such a short period of time for serious offenses and defective attitude. 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