



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

SJN  
Docket No: 00521-12  
24 October 2012

[REDACTED]

[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 23 October 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 27 June 1979. The Board found that the record reflects that on 24 September 1979, you were admitted into a medical facility for alcohol rehabilitation and discharged on 2 November 1979. On 3 January 1980, you were reevaluated and diagnosed with a chronic alcoholism relapse. At that time it was recommended that you be administratively separated from the Navy due to your failure to comply with the program. On 18 January 1980, you received nonjudicial punishment (NJP) for two instances of drunk and disorderly conduct, communicating a threat, assault, and disobedience. Subsequently, you were notified of pending administrative separation action by reason of unsuitability. You were afforded all of your procedural rights including the opportunity to submit a statement on your behalf. Your case was forwarded and it was directed that you be separated by reason of unsuitability with a general discharge. You were so discharged on 25 March 1980.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service, and belief that your characterization of service should have been upgraded. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your characterization of service given your failure to adhere to your alcohol rehabilitation treatment and NJP for serious offenses involving alcohol abuse. Finally, you are advised that there is no provision of law or in Navy regulations that allows for recharacterization automatically or due solely to the passage of time. 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,



ROBERT D. ZSALMAN  
Acting Executive Director