



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

TJR  
Docket No: 1496-12  
27 November 2012

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 20 November 2012. The names and votes of the members of the panel will be furnished upon request. 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 Marine Corps on 29 June 1971 after more than two years of prior satisfactory service and immediately began another period of active duty. You continued to serve without disciplinary incident until 21 November 1971, when you received nonjudicial punishment (NJP) for absence from your appointed place of duty.

On 8 January 1973 you were counselled regarding deficiencies in your performance, specifically, your nonrecommendation for reenlistment due to your frequent disciplinary involvement and marginal performance of duty and being found unqualified for reenlistment and/or an extended enlistment due to your past marginal performance of duty and disciplinary actions. On 11 and 21 June 1973 you received NJP for absence from your appointed place of duty and a three day period of unauthorized absence (UA). Subsequently, on 29 June 1973, you were released from active duty and transferred to the Marine Corps Reserve under honorable conditions. In this regard, character of service is

based, in part, on conduct and proficiency averages which are computed from marks assigned during periodic evaluations. Your conduct average was 3.4. An average of 4.0 in conduct was required at the time of your separation for a fully honorable characterization of service. In accordance with the foregoing, on 17 November 1974, upon completion of your required active service, you received a general discharge under honorable conditions.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior satisfactory service and desire to upgrade the characterization of your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your general discharge because of the seriousness of your repetitive misconduct, which resulted in three NJPs and since your conduct average was insufficiently high to warrant a fully honorable characterization of service. Finally, Marines with an extensive record of misconduct, such as yours, normally receive discharges under other than honorable conditions, and as such the Board noted that you were fortunate to receive a general characterization of service. Accordingly, your application has been denied.

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,



BRIAN J. GEORGE  
Head, Discharge Review Section