



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

TJR  
Docket No: 1521-12  
27 November 2012

[REDACTED]

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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 enlisted in the Marine Corps on 24 September 1974 at age 18 and began a period of recruit training. The record reflects that you served for less than a month before you received nonjudicial punishment (NJP) on two occasions for two specifications of disobedience and four specifications of disrespect.

Subsequently, you were administratively processed for separation by reason of unfitness due to frequent involvement of a discreditable nature with military authorities. After waiving your procedural rights to consult with legal counsel and to present your case to an administrative discharge board (ADB) the commanding officer recommended discharge under other than honorable conditions by reason of unfitness. On 4 December 1974 the discharge authority approved this recommendation and directed an undesirable discharge by reason of unfitness, and on 6 December 1974, you were so discharged.

On 14 April 1993 this Board changed the characterization of your service and issued you a general discharge by reason of unfitness based, in part, on a change in policy regarding discharges for recruit failures and the belief that an undesirable discharge for failure to complete recruit training was unduly harsh.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to upgrade your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant further recharacterization of your discharge because of your misconduct which resulted in two NJPs. Further, the Board noted that you were properly separated by reason of unfitness and that it recharacterized your service to general under honorable conditions. As such, the Board concluded that you were fortunate to receive a general discharge. 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