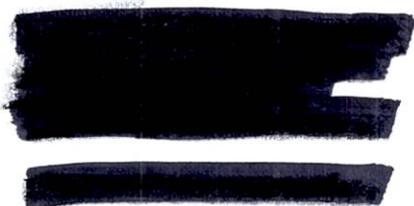




DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

TJR  
Docket No: 8056-12  
23 October 2012



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 16 October 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 Navy on 19 October 1964 at age 17. You served for about a year and eight months without disciplinary incident, but during the period from 24 June 1966 to 5 February 1967 you received nonjudicial punishment (NJP) on five occasions for absence from your appointed place of duty, making a false official statement, a one day period of unauthorized absence (UA), failure to go to your appointed place of duty, and failure to obey a lawful order. On 25 May 1967 you were convicted by special court-martial (SPCM) of missing the movement of your ship, a 17 day period of UA, and possession of a false identification card.

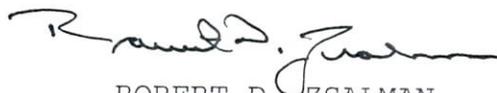
On 4 January 1968 you were convicted by summary court-martial (SCM) of two periods of UA totalling five days. Shortly thereafter, on 21 February 1968, you received your sixth NJP for absence from your appointed place of duty. Subsequently, you were processed for an administrative separation by reason of unfitness due to frequent involvement of a discreditable nature

with military authorities. After waiving your procedural right to consult with legal counsel and to present your case to an administrative discharge board (ADB), your commanding officer recommended discharge under other than honorable conditions by reason of unfitness. The discharge authority approved this recommendation and directed your commanding officer to issue you an undesirable discharge by reason of unfitness, and on 19 April 1968, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth, brief period of satisfactory service, Vietnam service, and desire to upgrade your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your frequent and repetitive misconduct which resulted in six NJPs and two courts-martial convictions. Finally, you were given an opportunity to defend yourself, but waived your procedural right to present your case to an ADB. 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,



ROBERT D. ZSALMAN  
Acting Executive Director