



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

CRS
Docket No: 9131-12
28 April 2014

[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 18 September 2013. 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy Reserve on 21 August 1944. You were convicted by a summary court-martial and a general court-martial of offenses that included two periods of unauthorized absence totaling 57 days.

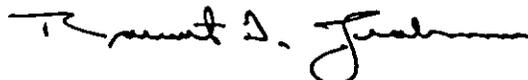
On 22 April 1946 a general court-martial convened and found you guilty of an unauthorized absence of 13 days. The court sentenced you to confinement for six months, reduction in pay grade, and a bad conduct discharge (BCD). You were separated with a BCD on 3 September 1946.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, fear of alleged homosexual harassment, and overall record of service. The Board concluded that these factors were insufficient to warrant recharacterization of your service, given the seriousness of your misconduct, which ultimately resulted in your discharge. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

Concerning your request for the World War II Medal, you should write the Navy Personnel Command, Pers 312B, Room 354, 1 Archives Drive, St. Louis, MO 63138.

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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director