



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

CRS
Docket No: 11729-12
14 May 2014

[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 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 14 May 2014. 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 on 7 April 1972. You received nonjudicial punishment on four occasions and were convicted by a special court-martial of four periods of unauthorized absence, disorderly conduct, missing movement, and insubordination on two occasions.

On 9 October 1974 your commanding officer recommended that you be separated with a general discharge by reason of unfitness due to frequent involvement of a discreditable nature with military authorities. After review by the discharge authority, the

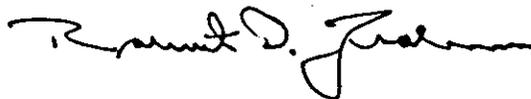
recommendation for separation was approved and on 11 October 1974 you were separated with a general discharge.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and overall service. The Board found these factors insufficient to warrant recharacterization of your service in view of your extensive disciplinary record. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

Concerning your request about removal of derogatory material in your record, the Board declined to remove any information related to your exposure to or wrongful use of drugs. The Board particularly noted that the only information regarding drug use is in connection with your statement that you had involuntarily ingested lysergic acid diethyl amide (LSD) and had suffered "flashbacks".

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