



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

CRS
Docket No: 11758-12
11 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 17 October 2013. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceeding 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 9 January 1980. On 17 July 1980 you received nonjudicial punishment for unspecified offenses.

On 25 January 1985 a special court-martial convened, found you guilty of two periods of unauthorized absence totaling 81 days, and sentenced you to confinement at hard labor for three months, reduction in pay grade, forfeitures of \$250.00 per month for three months, and a bad conduct discharge (BCD). You were separated with a BCD on 17 September 1985 after appellate review.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, overall record of service, and the unsubstantiated contention that your discharge had been previously upgraded. The Board concluded that these factors were insufficient to warrant recharacterization of your service, given the serious nature of your misconduct, which ultimately resulted in your discharge. Regarding your contention, there is no evidence in your record to support it, and you have provided no such evidence. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished.

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