



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

SJN
Docket No: 02250-13
12 February 2014



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 11 February 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

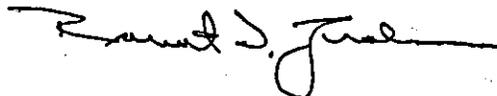
You enlisted in the Navy and began a period of active duty on 20 June 1975. The Board found that on 2 December 1975, you received nonjudicial punishment (NJP) for assault. On 15 January 1976, you received a second NJP for 20 days of unauthorized absence (UA) and missing ship's movement. On 30 January 1976, you were the subject of a psychiatric evaluation that diagnosed you with an immature personality disorder that had existed prior to your entry into the service. The report stated, in part, that you had a longstanding diagnosed character disorder that did not require psychiatric hospitalization or outpatient treatment in a military setting. It was recommended that you be administratively separated. Subsequently, you were notified of pending administrative separation action by reason of unsuitability due to the diagnosed personality disorder. You were afforded all of your procedural rights including the opportunity to submit a statement on your behalf. Your case was forwarded and it was directed that you be separated due to unsuitability with a general discharge. You were so discharged on 12 February 1976.

Characterization of service is based in part on conduct marks assigned on a periodic basis. Your conduct average was 2.0. At the time of your service, a conduct average of 3.0 was required for a fully honorable characterization of service when being discharged due to convenience of the government.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service and desire to upgrade your discharge. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your characterization of service given your two NJP's for serious offenses and failure to attain the required average in conduct. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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