



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

TJR  
Docket No: 3934-13  
25 March 2014

[REDACTED]

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 25 March 2014. 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 Marine Corps and began a period of active duty on 23 June 1986. You served for about a year and six months without disciplinary incident, but during the period from 22 November 1988 to 12 December 1989, you received nonjudicial punishment (NJP) on four occasions and were convicted by special court-martial (SPCM) and summary court-martial (SCM). Your offenses were absence from your appointed place of duty, uttering a \$150 check without sufficient funds; insubordination, disrespect, disobedience, wrongful possession of alcoholic beverages, underage drinking, two specifications of destruction of government property valued at \$278, assault, and two specifications of drunk and disorderly conduct.

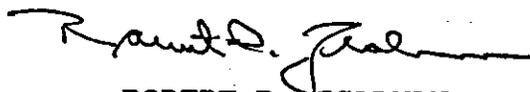
Subsequently, you were processed for an administrative separation by reason of misconduct due to a pattern of misconduct. After waiving your procedural rights, your commanding officer recommended discharge under other than honorable conditions by reason of misconduct due to a pattern of misconduct. On 26 June 1990 the discharge authority approved this recommendation and

directed separation under other than honorable conditions by reason of misconduct, and on 13 July 1990, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your post service conduct and desire to upgrade your discharge. It also considered the character reference letters provided in support of your case. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your repetitive misconduct which resulted in four NJPs, and two court-martial convictions. Further, you were given an opportunity to defend your actions, but waived your procedural right. 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