



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

TAL

Docket No: 4079-13

26 March 2014

[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 19 March 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.

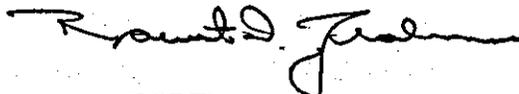
You enlisted in the Navy and began a period of active duty on 29 June 1977 at age 18. You received nonjudicial punishment (NJP) on three occasions for five instances of unauthorized absence (UA) from your unit for a period totaling 19 days, seven instances of failure to go to your appointed place of duty, seven instances of failure to obey a lawful regulation, two instances of insubordinate conduct toward a noncommissioned officer, wrongful use of marijuana, three instances of breaking restriction and wrongful possession of more than one armed forces identification card. After your second NJP, you were counseled regarding your misconduct and warned that further offenses could result in administrative separation. You were

notified of pending administrative discharge processing due to your frequent acts of misconduct. You waived all of your procedural rights. On 16 March 1978, you received a general discharge.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your discharge given the seriousness and repetitiveness of your misconduct that resulted in three NJPs. Finally, the Board believed that you were fortunate to receive a general discharge since a separation under other than honorable conditions is often directed when a Sailor is separated for frequent disciplinary infractions. 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