



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

SJN  
Docket No: 04632-13  
14 May 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 7 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

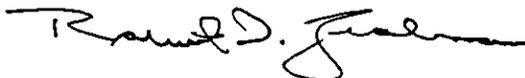
You enlisted in the Marine Corps and began a period of active duty on 1 August 1975. The Board found that during the period from 10 July 1976 to 29 April 1977, you received three nonjudicial punishments (NJP's) for sleeping on post, failing to go to your appointed place of duty, wrongful possession of another Marine's military identification card, and disobedience. On 14 March 1978, you were convicted by special court-martial (SPCM) of two specifications of unauthorized absence (UA) totaling five days. You were sentenced to restriction, hard labor, and a reduction in paygrade. On 4 December 1978, you were convicted by a second SPCM of 88 days of UA. You were sentenced to confinement and a forfeiture of pay. On 9 July 1979, you received a fourth NJP for UA. You remained on active duty until you were discharged under honorable conditions on 21 November 1979.

Characterization of service is based in part on conduct marks assigned on a periodic basis. Your conduct average was 3.7. At the time of your service, a conduct average of 4.0 was required for a fully honorable characterization of service.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service, post service accomplishments, and desire to upgrade your characterization of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your characterization of service given your four NJP's, SPCM convictions, and failure to attain the required average in conduct. The Board also noted that you were fortunate to have been retained on active duty to earn a better characterization of service after your second SPCM for a very lengthy period of UA. 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