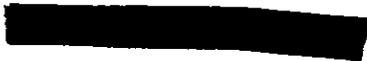




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

BJG
Docket No: 4702-13
9 April 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 8 April 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. In addition, the Board considered the report of the Naval Discharge Review Board, dated 6 June 1995, a copy of which is attached.

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.

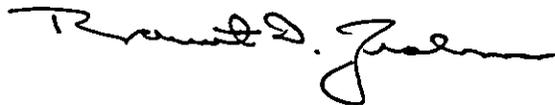
You enlisted in the Marine Corps and entered a period of active duty on 30 March 1988. You received nonjudicial punishment on five occasions for failure to obey a lawful order (two instances), disobeying a lawful order, five periods of unauthorized absence totaling nine days, wrongful appropriation, failure to go to your appointed place of duty (two instances), and dereliction of duty. You were advised that your command was initiating administrative discharge processing with an other

than honorable (OTH) characterization of service due to misconduct. You waived your procedural right to have your case considered by an administrative discharge board (ADB). On 27 January 1992, you received the OTH characterization of service due to misconduct, and were assigned an RE-4 (not recommended for retention) reentry code.

In its review of your application, the Board carefully considered all potentially mitigating factors, such as your youth and remorse. The Board concluded, however, that your discharge should not be upgraded due to your numerous acts of misconduct. The Board noted that you waived your right to an ADB, your best opportunity for retention or a better characterization of service. 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

Enclosure