



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

TAL  
Docket No: 4927-13  
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, 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. 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 Navy and began a period of active on 27 June 1975 at age 17. You received nonjudicial punishment (NJP) for unauthorized absence (UA) from your unit and wrongful possession of a dangerous weapon (a machete). You were the subject of psychiatric evaluations due to your ongoing severe interpersonal difficulties. You stated in part that you wanted to transfer to another submarine for fear you would hurt others or yourself. You were diagnosed with an immature personality disorder with antisocial traits. It was recommended that you should be removed from nuclear submarines and be administratively separated. You were notified of pending administrative discharge processing with a general discharge. You waived all of your procedural rights. On 4 December 1979,

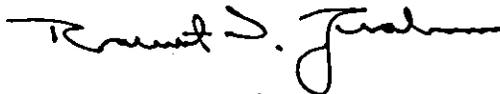
you received NJP for failure to obey a lawful written order, disorderly conduct and writing checks without sufficient funds. On 3 January 1980, you received NJP for wrongful use of marijuana. On 18 January 1980, you received the general discharge (unsuitability-personality disorder), and were assigned an RE-4 reenlistment code.

Character of service is based in part on conduct marks assigned on a periodic basis. Your conduct mark average was 2.8. A 3.0 conduct mark average was required for a fully honorable discharge.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in the characterization of service or reenlistment code given your diagnosed personality disorder, misconduct, and insufficiently high conduct mark average. Further, the Board concluded that your diagnosed personality disorder and non-recommendation for retention or reenlistment were sufficient to support the assignment of an RE-4 reenlistment code, which is authorized by regulatory guidance. 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