



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

BJG

Docket No: 6021-13

4 June 2014

[REDACTED]

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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 3 June 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

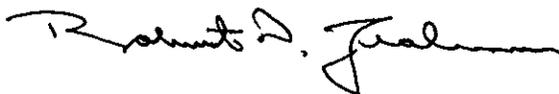
You reenlisted in the Navy on 8 November 1985 after more than three years of prior honorable service. You received nonjudicial punishment and were convicted by a special court-martial. Your offenses included unauthorized absence (four periods totaling 66 days), failure to obey a lawful order, losing military property, and wrongful use of cocaine. You were then notified that your commanding officer was recommending you for administrative separation due to misconduct. You exercised your procedural right to have your case heard by an

administrative discharge board (ADB). The ADB found that you had committed misconduct, and recommended that you be discharged with an other than honorable (OTH) characterization of service. On 21 March 1989, you were discharged with an OTH characterization of service due to misconduct, and were assigned an RE-4 (not recommended for retention) reenlistment code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, prior honorable service, and current desire to upgrade your discharge. However, the Board concluded that your discharge should not be upgraded due to your serious acts of misconduct. You are advised that no discharge is upgraded due merely to the passage of time or post service good conduct. In view of the above, 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