



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

BJG  
Docket No: 647-13  
10 October 2013



[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 26 September 2013. 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 (NDRB), dated 25 April 1990, 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. In this regard, the Board substantially concurred with the report of NDRB.

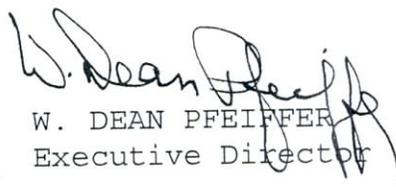
You enlisted in the Navy and entered active duty on 2 December 1996. You were commissioned as an ensign on 9 February 2001. You received nonjudicial punishment for failure to obey a lawful order and making a false official statement. You also received four adverse fitness reports. You were then notified that you were being administratively separated due to misconduct. You elected to exercise your procedural right to a Board of Inquiry

(BOI). The BOI met, found you had committed misconduct, and recommended that you receive a general characterization of service. On 28 February 2010, you were so discharged. On 7 November 2011, the NDRB changed your narrative reason for separation from misconduct to Secretarial Authority.

In its review of your application, the Board considered all mitigating factors, such as your many years of honorable service and current desire to upgrade your discharge. However, the Board concluded that no upgrade was warranted due to your misconduct. The Board believed you were fortunate to receive a general characterization of service, since individuals who are separated due to misconduct normally receive other than honorable discharges. You are advised that no discharge is automatically upgraded due solely 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,

  
W. DEAN PFEIFFER  
Executive Director

Enclosure

Copy to:  
