



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

SJN
Docket No: 6723-13
6 August 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 5 August 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.

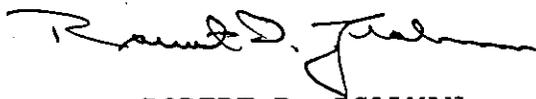
You enlisted in the Marine Corps and began a period of active duty on 25 September 1984. The Board found that on 18 September 1986, you were counseled regarding uttering insufficient fund checks. You were warned that further misconduct could result in administrative discharge action. During the period from 25 November 1986 to 27 May 1987, you received four nonjudicial punishments (NJP's) for five periods of unauthorized absence (UA) totaling 14 days, two instances of disobedience, and uttering eight insufficient funds checks. Additionally, you were counseled regarding your involvement with military authorities and warned again that further misconduct could result in administrative discharge action. Subsequently, administrative discharge action was initiated by reason of misconduct due to a pattern of misconduct. You waived your rights to consult counsel, submit a statement or have your case heard by an administrative discharge board (ADB).

On 13 July 1987, your case was forwarded recommending that you be discharged under other than honorable (OTH) conditions by reason of misconduct. On 14 July 1987, you received a fifth NJP for being absent from your appointed place of duty and four days of UA. On 27 July 1987, the separation authority directed an OTH discharge by reason of misconduct due to a pattern of misconduct. You were so discharged on 5 August 1987.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service and post service accomplishments. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your five NJP's, one of which was after you were notified you were being processed for administrative separation. The Board also noted that you waived the right to an ADB, your best chance 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