



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

TJR  
Docket No: 6913-13  
24 July 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, 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 22 July 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.

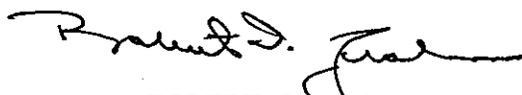
You reenlisted in the Navy on 10 August 1981, after more than three years of prior satisfactory service. You continued to serve without disciplinary incident until 2 October 1981, when you received nonjudicial punishment (NJP) for absence from your appointed place of duty. On 22 September 1983 you received NJP for indebtedness.

On 25 April 1984 you were convicted by special court-martial (SPCM) of a 121 day period of unauthorized absence (UA). Shortly thereafter, you were processed for an administrative separation by reason of misconduct due to commission of a serious offense. After waiving your procedural rights, on 12 July 1984, your commanding officer recommended discharge under other than honorable conditions by reason of misconduct due to commission of a serious offense. On 22 August 1984 the discharge authority approved this recommendation and directed separation under other than honorable conditions by reason of misconduct, and on 27 August 1984 you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior period of satisfactory service and desire to upgrade your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your misconduct which resulted in two NJPs and an SPCM. Further, you were given an opportunity to defend your actions, but waived your procedural rights. Accordingly, your application has been denied.

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