



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

TJR
Docket No: 7273-13
18 August 2014

[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 12 August 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 duty on 10 October 1962. You served for nearly a year without disciplinary incident, but on 30 September 1963 and again on 12 February 1964, you received nonjudicial punishment (NJP) for two specifications of sleeping on watch.

On 25 September 1964, you were released from active duty under honorable conditions and transferred to the Naval Reserve. On 9 October 1968, at the expiration of your enlistment, you were discharged under honorable conditions.

At the time of your separation, character of service was based, in part, on conduct and overall trait averages which were computed from marks assigned during periodic evaluations. Your conduct average was 2.8, however, an average of 3.0 in conduct was required for a fully honorable characterization of service.

The Board, in its review of your entire record and application carefully weighed all potentially mitigating factors, such as your period of satisfactory service, desire to upgrade your discharge, and assertion that your discharge was the result of an officer over-reacting by treating you unfairly for a nondisciplinary infraction. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of your misconduct, which resulted in two NJPs, and since your conduct average was insufficiently high to warrant a fully honorable characterization of service. Finally, there is no evidence in the record, and you submitted none, to support your assertion. 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