



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

BC
Docket No: 07601-13
14 August 2014

[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 13 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.

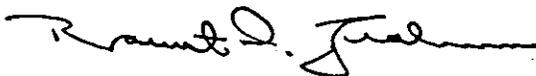
You enlisted in the Navy on 20 October 1988, at age 19. On 24 October 1988, you signed and acknowledged the Navy drug and alcohol policy. On 20 September 1990, you received nonjudicial punishment (NJP) for wrongful use of amphetamines/methamphetamines. On 3 October 1990, administrative separation action was initiated by reason of misconduct (drug abuse). After being advised of your due process rights, you waived your right to have your case heard by an administrative discharge board (ADB). Your commanding officer forwarded his recommendation that you be discharged under other than honorable conditions (UO THC) by reason of misconduct (drug abuse). On 12 October 1990, the discharge authority directed a discharge UO THC by reason of misconduct (drug abuse). Your misconduct continued and on 1 November 1990, you received NJP for three incidents of failure to go to your

appointed place of duty, failure to obey a lawful order and disobeying a lawful order. You were discharged UOTHC on 9 January 1991 and assigned an RE-4 (not recommended for retention) reentry code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your overall record of service. The Board found those factors insufficient to warrant recharacterization of your discharge, given your record of two NJP's for multiple offenses and drug abuse. In addition, the Board noted that you waived your right to an ADB, your best opportunity 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