



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

BJG
Docket No: 7715-13
20 August 2014



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 19 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

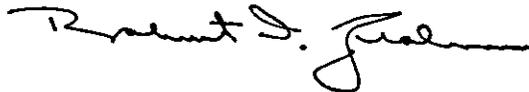
You enlisted in the Navy and began a period of active duty on 27 November 1951. You received Captain's Mast on six occasions and were convicted by a special court-martial. Your offenses included unauthorized absence (three periods totaling two days), failure to go to your appointed place of duty (two instances), inappropriate standing of watch, and larceny. You were then notified that your commanding officer was recommending you for administrative separation due to misconduct. You exercised your procedural right to have your case heard by an administrative

discharge board (ADB). The ADB found that you had committed misconduct, and recommended that you be discharged with an undesirable characterization of service. On 27 November 1953, you were discharged with an undesirable characterization of service due to misconduct.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, Korean war service, and current desire to upgrade your discharge. However, the Board concluded that your discharge should not be upgraded due to your acts of misconduct. You are advised that no discharge is upgraded due merely 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,



ROBERT D. ZSALMAN
Acting Executive Director