



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

CRS

Docket No: 7870-13

16 June 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 11 June 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.

The Board found that you enlisted in the Marine Corps on 19 September 1979. You received nonjudicial punishment on three occasions for offenses that included failure to go to appointed place of duty, absence from appointed place of duty, and wrongfully pulling a fire alarm. On 4 February 1981 you were diagnosed with chronic hypomanic disorder. Thereafter, you received nonjudicial punishment for absence from appointed place of duty. On 20 March 1981 you were discharged under honorable conditions in accordance with the provisions of the Expeditious Discharge Program.

The Board found that you did not qualify for an honorable discharge because your conduct mark average was below 4.0. It noted that there are no provisions of law or regulation for the upgrade of a discharge based solely on the passage of time. Your request to have your time in the Delayed Entry Program counted as active duty was denied since you were not on active duty. 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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director