



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

BC
Docket No: 08248-13
2 September 2014



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 27 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 and began a period of active duty on 10 November 1948. On 26 October 1950, you were convicted by a deck court of assault and sentenced to forfeiture of \$40, three months restriction and 30 days extra duty. On 7 July 1951, you received nonjudicial punishment (NJP) for being in an unauthorized absence (UA) status for over 21 hours and missing ship's movement. On 23 July 1951, you received NJP for failure to obey an order. On 20 September 1951, you were convicted by a special court-martial (SPCM) of being UA for 14 days and sentenced to forfeiture of \$75 and 30 days confinement at hard labor. On 10 November 1951, you received NJP for disturbing the peace. On 19 December 1951, you were convicted by an SPCM of possession and wearing apparel belonging to another Sailor and possession of alcohol onboard the base. You were sentenced to forfeiture of \$150, confinement at hard labor for three months

and a bad conduct discharge (BCD). Apparently, the BCD was suspended. Thereafter, you were notified that administrative discharge procedures had been initiated and that you would receive a general discharge due to misconduct. However, your misconduct continued and on 15 September 1952, you received NJP for being absent without leave. You were discharged on 7 November 1953, with a general characterization of service and not recommended for retention.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. However, the Board found those factors insufficient to warrant any change in your characterization of service given your record of misconduct. The Board also noted that you were fortunate to receive a general discharge since the separation authority approved of the BCD. 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 J. O'NEILL
Executive Director