



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

BJG  
Docket No: 9141-13  
2 October 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 1 October 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 entered a period of active duty on 5 August 1991. You received nonjudicial punishment on three occasions for failure to go to your appointed place of duty, dereliction of duty, unauthorized absence (two periods totaling 30 days), and failure to obey a lawful order. 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 other than honorable (OTH) characterization of service. On 14 September 1993, you were discharged with an OTH characterization of service due to misconduct, and assigned an RE-4 (not recommended for retention) reenlistment code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, remorse, post service good conduct, and current desire to upgrade your characterization of service. The Board concluded, however, that your characterization of service should not be upgraded due to your misconduct. Finally, you are advised that the mere passage of time or post service good conduct are not bases for upgrading your discharge. 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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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

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