



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

BJG
Docket No: 2049-14
15 October 2014

[REDACTED]

Dear [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 15 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 Marine Corps and entered a period of active duty on 6 July 1970. You received nonjudicial punishment on three occasions for shoplifting and two periods of unauthorized absence (UA) totaling 28 days. You also had another period of UA totaling 98 days for which no disciplinary action was taken. You were then diagnosed with a character and behavior disorder which interfered with the performance of your duties. You were recommended for administrative separation with a type warranted by your service record characterization of service due to unsuitability. On 4 February 1972, you received a general

characterization of service due to unsuitability, and were assigned a waivable RE-3P (condition, not a disability) reenlistment code.

Characterization of service is based in part on conduct marks assigned on a periodic basis. Your conduct mark average was 2.7. A conduct mark average of 4.0 was required for a fully honorable discharge.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, post service good conduct, and current desire to upgrade your discharge. However, the Board concluded that your discharge should not be changed because of your misconduct and insufficiently high conduct mark average. 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 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