



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

SJN
Docket No: 2684-14
23 December 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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 December 2014. The names and votes of the members of the panel will be furnished upon request. 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 3 August 1984. On 26 October 1984, you received nonjudicial punishment (NJP) for disobedience. You received a forfeiture of pay and restriction. Although your record is incomplete, in that it does not contain any documents pertaining to your discharge from the Naval Academy Prep Program (NAPS), based on your Certificate of Release or Discharge from Active Duty (DD Form 214), you were honorably discharged early while attending NAPS under an authorized program or circumstance. It appears that after being afforded all of your procedural rights, you were so discharged on 29 March 1985.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your record of service and desire to change the reason for your discharge. Nevertheless, based on the information currently contained in your record, the Board concluded these factors were not sufficient to warrant changing the reason for your discharge given the narrative reason shown on your DD Form 214. Accordingly, your application has been denied.

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,

A handwritten signature in dark ink, appearing to read "R. J. O'Neill", written in a cursive style.

ROBERT J. O'NEILL
Executive Director