



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

CRS
Docket No: 554-11
17 October 2011

[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 13 October 2011. 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 Navy on 25 February 1983. You received nonjudicial punishment on two occasions for offenses that included willful disobedience of a lawful order, committing a nuisance, unauthorized absence, and possession and use of cocaine and marijuana.

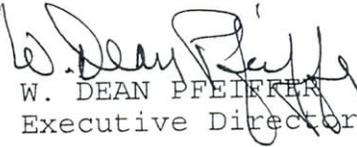
On 7 March 1984 a general court-martial convened and found you guilty of an unauthorized absence and use of marijuana, and sentenced you to confinement at hard labor for 60 days, reduction in pay grade, and a bad conduct discharge. You were so discharged on 10 September 1985.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, overall service, and the contention that the sentence you received from the court-martial was unfair and unjust. The Board concluded that those factors were insufficient to warrant recharacterization of your service, given the serious and repeated nature of your use of unlawful drugs which ultimately

resulted in your discharge. 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,


W. DEAN PFEIFFER
Executive Director