



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

SJN
Docket No: 5587-14
4 May 2015

[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 28 April 2015. 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 25 January 1966. On 30 December 1967 and 15 January 1968, you received nonjudicial punishment (NJP) for unauthorized absence and disobedience. On 9 April 1968, administrative discharge action was initiated discharge you for unsuitability due to your involvement with dangerous drugs. After being afforded all of your procedural rights, on 22 April 1988, a board of officers, confirmed your involvement with marijuana, and that you had a tendency to resort to drugs because of your wrongful possession and use of illegal drugs. Your case was forwarded to the separation authority recommending that you received a general discharge. On 29 May 1968, the separation authority concurred and directed that you receive a general discharge due to unfitness. You were so discharged on 5 July 1968.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your record of service and desire to change your discharge. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your characterization of service given your two NJP, and wrongful use and possession of illegal drugs. Finally, the Board noted that you were fortunate to receive a general discharge since a discharge under other than honorable conditions is often directed when an individual is discharged for misconduct. 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 black ink, appearing to read "Robert J. O'Neill", written in a cursive style.

ROBERT J. O'NEILL
Executive Director