



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

[REDACTED]
Docket No: 3133-16
MAY 30 2017

[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 15 March 2017. 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.

You reenlisted in the Navy on 27 August 1985. During the period from 5 February to 27 May 1988, you received two nonjudicial punishments (NJP) for the following offenses: unauthorized absence (UA), being absent from your appointed place of duty and dereliction of duty. Subsequently, you were notified of pending administrative separation action by reason of misconduct due to minor disciplinary infractions and alcohol abuse rehabilitation failure. After you waived your procedural rights, your commanding officer recommended a general discharge under honorable conditions by reason of misconduct due to minor disciplinary infractions. The discharge authority approved this recommendation and directed a general discharge under honorable conditions by reason of misconduct. On 10 October 1988, you were discharged.

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. The Board carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge and contention that you were told that your discharge would automatically be upgraded to honorable after six months, the overall impact of your wife and children leaving you, your personal life never interfered with your job in the Navy, and the reference letters you submitted. However, the Board concluded that these factors were not sufficient to warrant relief given your misconduct. In this regard, the Board concluded that the seriousness of your

misconduct, which resulted in two NJPs, outweighed your desire to upgrade your discharge and supports the commanding officer's decision to process you for a general discharge. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,

A solid black rectangular box used to redact the signature of the Executive Director.

Executive Director