



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

[REDACTED]  
Docket No: 6990-16  
OCT 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 29 August 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, relevant portions of your naval record, and applicable statutes, regulations, and policies.

You enlisted in the Marine Corps on 26 June 1978. During the period from 3 August 1979 to 3 October 1980, you received three non-judicial punishments (NJP) for the following offenses: assault, absence from appointed place of duty, and possession of marijuana. On 3 March 1982, you received counseling on your frequent involvement with military authorities. On 29 April 1982, you received NJP for disobeying a lawful order and possession of drug paraphernalia. On 6 May 1982, you were counseled by your Commanding Officer on not being recommended for reenlistment. As a result of the foregoing, on 25 June 1982, you received an other than honorable (OTH) discharge due to completion of active service and were transferred to the Marine Corps Reserve.

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 correct your characterization of service and update your Certificate of Release or Discharge from Active Duty (DD Form 214). However, the Board concluded that these factors were not sufficient to warrant changing your characterization of service and updating your DD Form 214. The Board

noted that a thorough review of your Naval record revealed that your Characterization of Service is stated correctly on your DD Form 214. In this regard, your Official Military Personnel File (OMPF) reveals that due to the misconduct in your record, your Commanding Officer did not recommended you for reenlistment and as a result, you received an OTH characterization of service and were transferred to the Marine Corps Reserve. On 13 February 1984, you were honorably discharged from the Marine Corps Reserve. Finally, the Board noted that receiving an honorable discharge from the Marine Corps Reserve does not alter or change the OTH characterization of service you received when released from active duty. 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 large black rectangular redaction box covering the signature of the Executive Director.

Executive Director