



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

█  
Docket No: 0657-20  
Ref: Signature Date



Dear █

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. After careful and conscientious consideration of the entire record, the Board for Correction of Naval Records (Board) found the evidence submitted was insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

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, sitting in executive session, considered your application on 28 October 2020. 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, as well as applicable statutes, regulations, and policies.

You reenlisted in the Navy on 18 April 1988. On 14 May 1991, you received nonjudicial punishment (NJP) for willful disobedience of a lawful command from a superior commissioned officer, and making a false official statement. On 17 May 1991, you were counseled regarding your misconduct. On 9 June 1992, you received NJP for falsely altering the amount payable of a certain money order with the intent to defraud. On 18 June 1992, you were notified of the initiation of administrative separation proceedings by reason of misconduct-commission of a serious offense, at which point, you waived your right to counsel and review of you case by an administrative discharge board. On 5 October 1992, your commanding officer recommended your discharge from the naval service with an other than honorable (OTH) characterization of service. On 2 November 1992, you were discharged with an OTH characterization of service by reason of misconduct-commission of a serious offense.

The Board carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge and your contention that information from a family member's DD Form 214 was interchanged with yours. After careful consideration of your contentions, the Board did not find

evidence of an error or injustice that warrants upgrading your characterization of service. The Board also considered that you would like benefits, but notes that the agency that determines your eligibility for benefits is your local, state, or federal Department of Veterans' Affairs.

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 the submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

12/16/2020

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Executive Director

Signed by: █