



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

JRE
Docket No: 85-99
4 May 1999

[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 15 April 1999. 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 reenlisted in the Marine Corps on 1 August 1984. You underwent a pre-separation physical examination on 27 February 1986, and were found physically qualified for separation. You denied a history of any psychiatric symptoms or treatment at that time. You were discharged under other than honorable conditions on 3 March 1986, pursuant to your request, in lieu of trial by court-martial of a lengthy unauthorized absence, three larcenies from Marines junior to you, and a bad check offense.

The Board concluded that there is no reliable information in the available records that you suffered from post traumatic stress disorder at the time you committed the offenses which resulted in your discharge, that you lacked mental responsibility, or that your offenses were significantly extenuated or mitigated by a mental disorder or other factors. It concluded that in view of the very serious nature of your offenses, and the substantial jeopardy you avoided by requesting discharge in lieu of trial, such as confinement, forfeiture of pay, and a punitive discharge, there is no basis for upgrading 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