



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

TJR
Docket No: 1363-01
16 August 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 14 August 2001. 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, and applicable statutes, regulations, and policies. The Board was unable to obtain your service record and conducted its review based on the documentation submitted with your application.

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 found you enlisted in the Navy on 18 June 1980 at the age of 19. Your record reflects that on 4 August 1980 you received nonjudicial punishment (NJP) for drunk and disorderly conduct. The punishment imposed was a \$200 forfeiture of pay.

On 14 April 1982, after undergoing a physical examination, you were diagnosed with a mixed bipolar disorder and recommended for an administrative separation. Subsequently, you were processed for a general discharge by reason of physical disability as evidenced by the diagnosed mixed bipolar disorder, and on 14 May 1982 you were so discharged. At that time your conduct average was 2.5.

Character of service was based, in part, on conduct and overall trait averages which were computed from marks assigned during periodic evaluations. An average of 3.0 in conduct was required at the time of your service for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity and good post service conduct. However, the Board concluded these factors and contention were not sufficient to warrant a change in the characterization of your service because of your misconduct and since your conduct average was insufficiently high to warrant an honorable discharge. Given all the circumstances of your case, the Board concluded your discharge was proper and no change is warranted. 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