



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

TRG
Docket No: 6414-00
6 June 2001

[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 30 May 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, 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 enlisted in the Naval Reserve on 27 January 1982 at age 17 and reported for three years of active duty on 10 November 1982. The record shows that during 1983 you were an unauthorized absentee on two occasions totaling nine days, for which there is no disciplinary action in the record. On 22 November 1983 you received nonjudicial punishment (NJP) for an unauthorized absence of about two days and four instances of failing to go to your appointed place of duty. On 21 December 1983, you received another NJP for an unauthorized absence of about eight days.

On 20 January 1984 you began a period of unauthorized absence which lasted until 22 February 1984, a period of about 22 days. However, there is no disciplinary action in the record for this offense. On 9 March 1984 you received NJP for two instances of disobedience and failing to go to your appointed place of duty.

Based on the foregoing record, you were processed for an administrative discharge. Although the discharge package is not filed in your service record, the Board assumed that you were properly notified of the discharge action and of your right to

have your case heard by an administrative discharge board. You were discharged under other than honorable conditions on 27 July 1984.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and your contentions that you were discharged because of Project Upgrade and were told you would receive a general discharge. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your multiple period of unauthorized absence and other misconduct. There is nothing in the record, and you have submitted nothing, to support your contention that you were discharged under the provisions of Project Upgrade or that you were promised a general discharge. The Board concluded that the discharge was proper as issued 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