



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

CRS
Docket No: 6735-01
10 September 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 6 September 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 reenlisted in the Navy on 12 March 1991 after more than seven years of prior active service. The record reflects that you were an unauthorized absentee from 13 to 16 May 1994 while at sea on an aircraft carrier. On 2 June 1994 you received nonjudicial punishment for an unauthorized absence of about seven hours from 31 May to 1 June 1994. Subsequently, on 2 August 1994 your unauthorized absence from 13 to 16 May 1994 was charged as lost time. On 16 December 1994 you were honorably discharged by reason of expiration of term of service.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as the contention that you could not be an unauthorized absentee if the ship was at sea. However, the Board concluded that these factors were not sufficient to warrant relief. In this regard, the Board believed that it was possible to be an unauthorized absentee on an aircraft carrier and for that absence to be charged as lost time. Based on the foregoing, the Board concluded that no change to your record 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