



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

TJR
Docket No: 3720-02
6 December 2002

[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 3 December 2002. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps on 17 October 1955 at the age of 17. At the time of enlistment you had completed eight years of formal education and had a general classification test (GCT) score of 88, which placed you in Mental Group IV.

On 18 January 1957 you were convicted by special court-martial (SPCM) of two periods of unauthorized absence (UA) totaling 26 days and were sentenced to confinement at hard labor for five months, a \$275 forfeiture of pay, and reduction to paygrade E-1. On 14 June 1957 you were convicted by summary court-martial (SCM) of a six day period of UA and failure to obey a lawful order. You were sentenced to restriction for one month and a \$20 forfeiture of pay. On 24 October 1957 you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty and were awarded restriction for two weeks.

On 2 January 1958 you were transferred to the Marine Corps Reserve under honorable conditions. On 22 March 1962, upon completed of your obligated service, you were issued a general discharge.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 3.6. An average of 4.0 in conduct was required at the time of your discharge 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, limited education, and low test scores. It also considered your contention that you have received a general equivalency diploma (GED). Nevertheless, the Board concluded these factors and contentions were not sufficient to warrant recharacterization of your discharge because of your repetitive misconduct and since your conduct average was insufficiently high to warrant an honorable 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