



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

TRG  
Docket No: 9551-02  
2 July 2003

[REDACTED]

[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 1 July 2003. 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.

You enlisted in the Navy on 31 May 1962 at age 18. During the period from 20 December 1962 until 26 March 1964, you received nonjudicial punishment on five occasions. Your offenses were three periods of unauthorized absence totaling about three days, making a false official statement, disrespect and five instances of disobedience.

Based on the foregoing record, you were processed for an administrative discharge. In connection with this processing, you elected to waive the right to have your case heard by an administrative discharge board. On 16 April 1964, your commanding officer recommended a suspended undesirable discharge. On 11 May 1964 the discharge authority directed an undesirable discharge, but suspended the discharge for a probationary period of one year.

Subsequently, you were an unauthorized absentee on 1 and 2 June 1964. On 2 June 1964, you acknowledged you had been placed on probation until May 1965. Contained in your record is a signed and witnessed statement, dated 15 June 1964, that states as follows:

I was home on leave with my parents when they received a letter from the Chief of Naval Personnel regarding the suspended undesirable discharge awarded on 11 May 1964. I was aware of the aforesaid discharge prior to my unauthorized absence on 1 June 1964. It is my desire that the suspended undesirable discharge in my case be vacated and executed as soon as possible.

The undesirable discharge was issued on 19 June 1964.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, limited education, and your contention that you have become an upstanding, hardworking citizen. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given the frequency of your misconduct, violation of probation, and your request for discharge while in a probationary status. A report from the Federal Bureau of Investigation shows that you have been convicted of various offenses over the years since your discharge, most recently in 2001 when you were convicted of driving under the influence of alcohol. The Board concluded that your 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