



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

TJR
Docket No: 10963-02
16 October 2003

[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 15 October 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 26 February 1946 at age 17. On 23 October 1946 you received captain's mast (CM) for entering an enlisted men's club while being a prisoner at large and were awarded extra duty for 25 hours.

During the period from 7 January to 11 March 1947 you received CM on four occasions for disobedience, skylarking, absence from your appointed place of duty, being out of uniform, refusing to work, and insolence. On 27 April 1947 you received CM for violation of a brig order and were awarded confinement on bread and water for five days. On 6 May 1947 you were convicted by summary court-martial (SCM) of wrongful possession of another Sailor's clothing, breaking restriction, a three day period of unauthorized absence, and being in an outside area without proper authority. You were sentenced to confinement on bread and water for five days, a \$175 forfeiture of pay, and extra duty for three months. On 10 June 1947 you received CM for two periods of absence from your appointed place of duty, disobedience, two specifications of missing duty, shirking duty, and failure to promptly carrying out an order. The punishment imposed was

confinement on bread and water for five days. Shortly thereafter, on 13 June 1947, you were convicted by SCM of absence from your appointed place of duty and disobedience. You were sentenced to confinement and extra duty for 30 days and a \$45 forfeiture of pay.

On 7 July 1947, following a medical examination after complaining of occipital headaches for seven months and a loss of memory, you were diagnosed with amnesia and an inability to adjust. Shortly thereafter, on 4 August 1947, you were diagnosed with a personality disorder which existed prior to your enlistment. At that time you were found to be unfit for further service and recommended for separation. Subsequently, the recommendation for separation was approved, and on 1 October 1947 you were issued a general discharge.

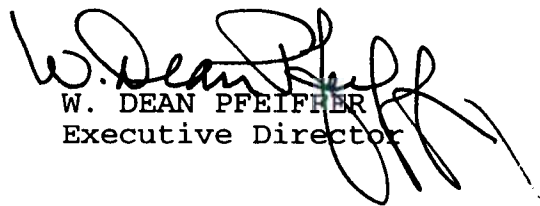
Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.7. An average of 3.25 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, and your assertion that you should have received a medical discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge 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