



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

WMP

Docket No: 9618-02

1 May 2003

[REDACTED]

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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 April 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.

The Board found that you enlisted in the Marine Corps on 8 December 1970 for three years at age 17. On 23 January 1971 you received a psychiatric evaluation in which the attending psychiatrist recommended to the aptitude board that you be separated for unsuitability due to a character and behavior disorder and a defective attitude. In this regard, the evaluation noted that you had falsely claimed to be a drug user, received nonjudicial punishment for disrespect, and refused to train.

On 25 January 1971, you were referred to an aptitude board, which recommended that you receive a general discharge due to unsuitability, which was approved by the commanding officer.

On 25 January 1971 you were notified that separation action was being initiated by reason of unsuitability due to a character and behavior disorder and a defective attitude. You were advised of and waived your procedural rights, including your right to make a statement. Accordingly, on 27 January 1971 you received a general discharge by reason of unsuitability.

In its review of your application the Board carefully weighed all potentially mitigating factors such as your youth and immaturity. However, the Board found that you were given numerous opportunities to succeed while at recruit training, however, you were either unwilling or unable to adapt to the Marine Corps environment. Furthermore, after these numerous opportunities, you refused to continue your training. Given these factors and your failure to complete recruit training, the Board concluded that the your general discharge was appropriate and should not be changed. 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