



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

TRG  
Docket No: 7765-06  
25 January 2008



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 23 January 2008. 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 22 June 1978 at age 19. During the period from 7 October 1979 to 2 September 1981, you received nonjudicial punishment on six occasions and were convicted by a summary court-martial. Your offenses were three periods of unauthorized absence totaling about six days, missing your ship's movement, disobedience, possession of alcohol onboard ship, possession of marijuana and two instances of sleeping on watch.

Based on the foregoing record, you were processed for an administrative discharge by reason of misconduct. In connection with this processing, you elected to waive the right to have your case heard by an administrative discharge board. After review the discharge authority directed discharge under other than honorable conditions and you were so discharged on 20 October 1981.

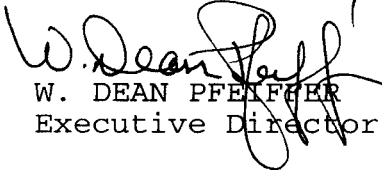
In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, the documentation you submitted showing post service diagnoses of alcohol and cocaine dependence, and that you have maintained sobriety for several years. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your discharge given your extensive disciplinary record. The

Board was aware that alcohol abuse is not an excuse for misconduct and disciplinary action is appropriate following alcohol related misconduct. The Board concluded that the 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