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

CRS
Docket No: 8481-06
4 February 2008

[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 16 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.

The Board found that you enlisted in the Navy on 12 January 1976. You received five nonjudicial punishments and were convicted by summary court-martial. The offenses included unauthorized absences, willful disobedience of a lawful order, and violation of a lawful general regulation. On 28 February 1979 you were released from active duty and transferred to the Navy Reserve with a characterization of service of honorable. On 3 February 1982 you received a general discharge from the Navy Reserve upon the expiration of your enlistment.

Characterization of service is based, in part, on one's conduct and overall trait averages, both of which are computed from marks assigned during periodic evaluations. Your conduct and overall trait averages were 2.96 and 2.70, respectively. A minimum conduct mark of 3.00 was required for a fully honorable characterization of service at the time of your separation. In addition, the Board concluded that an honorable characterization of service is not warranted in your case, given your extensive disciplinary record. The fact that your service was characterized as honorable in 1979 when you were released from active duty did not mandate that you be awarded an honorable discharge at the expiration of your enlistment in 1982.

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