



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

CRS  
Docket No: 5045-09  
19 February 2010

[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 27 January 2010. 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 18 July 1960. You received nonjudicial punishment on three occasions and were convicted by a summary court-martial. Your offenses included unauthorized absences, missing movement, breaking restriction, stealing government utensils, carrying a concealed weapon, and absence from appointed place of duty.


On 20 November 1963 your commanding officer recommended that you be separated from the Navy with an undesirable discharge by reason of unfitness due to frequent involvement of a discreditable nature with military authorities. Thereafter you received nonjudicial punishment on three further occasions for offenses that included an unauthorized absence, larceny of tableware, and attempted damage to military property. On 29 June 1964 you were separated from the Navy with an undesirable discharge.

In its review of your application, the Board carefully considered your unsubstantiated contention to the effect that you were

discharged as a result of unfair treatment by your commanding officer, but found it insufficient to warrant upgrading your undesirable discharge which was warranted by your numerous acts of misconduct. 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