



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

RDZ:ecb
Docket No. 06833-11
19 August 2011

[REDACTED]

[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 10 August 2011. 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 30 June 1999 for a term of four years. You served for nearly three years and five months and were discharged on 22 November 2002 based on a diagnosed condition that rendered you unsuitable for military service but did not amount to a disability. Under such circumstances Bureau of Naval Personnel Instruction 1900.8 states that in order to receive a fully honorable discharge the service member must have at least a grade of 2.5 in conduct. Your grade was 2.0 and undoubtedly attributable to the two non-judicial punishments you received between August 2001 and June 2002.


In its review of your application the Board concluded that due to the fact that you failed to attain minimum conduct grade of 2.5 your

discharge was proper as issued. Clearly you were treated no differently than any other Sailor whose conduct grade fell below the minimum required by the Navy.

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