



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

CRS
Docket No: 10708-10
10 March 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 2 March 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.

The Board found that you enlisted in the Navy on 9 July 1981. You received nonjudicial punishment on seven occasions for offenses that included three periods of unauthorized absence, dereliction of duty, an unspecified violation of Article 134, breaking restriction, failure to go to appointed place of duty, breach of the peace, willful disobedience of a lawful order, urinating on an interior command door, communicating a threat, use of provoking words, assault, and drunk and disorderly conduct. On 11 October 1984 you were convicted by civil authorities of drunk driving. The court sentenced you to confinement for 12 months and a fine of \$500.00, both of which were suspended.

On 14 November 1984 an administrative discharge board recommended that you be separated from the Navy by reason of misconduct/pattern of misconduct, with a discharge under other than honorable conditions. The recommendation was approved by the separation authority, and you were discharged on 24 December 1984 with a discharge under other than honorable conditions.

In its review of your application, the Board carefully considered your contention to the effect that you had Charcot-Marie Tooth syndrome which contributed to your acts of indiscipline, but found it insufficient to warrant the approval of your request for corrective action. In this regard, the Board was not persuaded that there was any relationship between the syndrome and your 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