



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

TJR
Docket No: 11260-10
4 August 2011

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 August 2011. The names and votes of the members of the panel will be furnished upon request. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps on 13 November 1989 at age 18 and served without disciplinary infraction until 25 March 1992, when you began a period of unauthorized absence (UA) that was not terminated until 28 April 1992. Shortly thereafter, on 8 May 1992 you were diagnosed with a borderline personality disorder with antisocial features. You were found to be responsible for your actions and recommended for an administrative separation.

On 2 June 1992 you were convicted by summary court-martial (SCM) of a 34 day period of UA. You were sentenced to confinement for 30 days, reduction to paygrade E-1, and a \$523 forfeiture of pay. Subsequently, you were processed for an administrative separation by reason of convenience of the government due to the diagnosed personality disorder. After waiving your procedural rights, the discharge authority directed separation under honorable conditions and on 9 September 1992 you were issued a general discharge by reason of convenience of the government due to a


condition not a physical disability as evidenced by the diagnosed personality disorder. In this regard, character of service is based, in part, on conduct and proficiency averages which are computed from marks assigned during periodic evaluations. Your conduct average was 3.5. An average of 4.0 in conduct was required at the time of your discharge for a fully honorable characterization of service.

In December 1997 the Naval Discharge Review Board (NDRB) changed your narrative reason for separation to Secretary of the Navy Plenary Authority because "the procedures set forth under regulations were not correctly followed" when you were processed for separation by reason of the diagnosed personality disorder. Although your petition to the NDRB included a request to upgrade your discharge, it was not changed.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to upgrade the characterization of your general discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your general discharge because of the seriousness of your misconduct, which resulted in a SCM, and since your conduct average was insufficiently high to warrant a fully honorable characterization of service. Accordingly, your application has been denied.

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