



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

BAN
Docket No: 12014-10
28 July 2011

[REDACTED]

[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 28 July 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

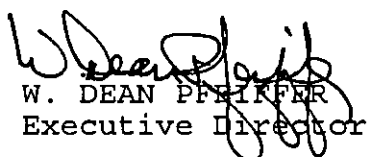
You enlisted in the Navy on 18 June 1965, and served without disciplinary incident until 17 February 1966, when you received nonjudicial punishment (NJP) for four specifications of unauthorized absence (UA). Shortly thereafter, on 27 April 1966, you were convicted at a special court-martial of UA. You received a mental health evaluation that deemed you emotionally unstable for military service and recommended separation. Therefore, you were recommended for administrative separation with a general discharge due to unsuitability. You waived your right to consult with counsel and an administrative discharge board (ADB). The separation authority approved the separation recommendation and on 20 May 1966, you were separated due to unsuitability with a general discharge and an RE-4 (not recommended for retention) reenlistment code.

Characterization of service is based, in part, on trait marks assigned on a periodic basis. Your overall trait average was 2.0. A 3.0 overall trait average was required for fully honorable discharge.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and claim that you had a head injury that affected your performance while in service. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge, remove lost time from your record, or have your pay grade restored because of your misconduct and insufficiently high overall trait average. Accordingly, your application has been denied. The Board believed you were fortunate to receive a general characterization of service, because individuals who are separated for misconduct such as yours normally receive other than honorable discharges. 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