



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

SJN
Docket No: 01441-13
12 March 2014

[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 11 March 2014. 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.

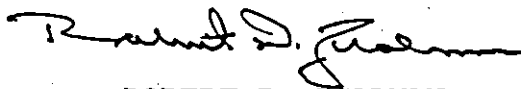
You enlisted in the Navy and began a period of active duty on 16 May 1969. The Board found that on 23 April 1970, you were convicted by summary court-martial (SCM) of 47 days of unauthorized absence (UA). On 14 and 26 May 1970, you received nonjudicial punishment (NJP) for two days of UA, being absent from your appointed place of duty, disobedience, and communicating a threat. On 14 October 1970, you were convicted by special court-martial (SPCM) of 63 days of UA and use of provoking words. You were sentenced to four months of confinement and a bad conduct discharge (BCD). You received the BCD on 21 May 1971 after appellate review was completed.

The Board, in its review of your record and application, carefully weighed all potentially mitigating factors, such as your youth, record of service, post service accomplishments, character letters, and desire to upgrade your discharge. Nevertheless, based on the information currently contained in

your record, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge given your SCM, two NJP's and SPCM conviction of serious offenses. 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,



ROBERT D. ZSALMAN
Acting Executive Director