



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

BJG
Docket No: 3713-13
26 February 2014



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 25 February 2014. 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.

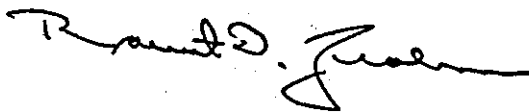
You reenlisted in the Marine Corps on 8 July 1986 after more than three years of prior honorable service. Your record is incomplete, but you received nonjudicial punishment on two occasions for unknown offenses. You were then notified of pending administrative separation processing with an under other than honorable (OTH) conditions characterization of service due to misconduct. You elected to exercise your procedural right to have your case considered by an administrative discharge board (ADB). The ADB met, found that you had committed misconduct,

and recommended that you receive OTH characterization of service. On 23 September 1988, you were discharged with an OTH characterization of service due to misconduct, and assigned an RE-4 (not recommended for retention) reenlistment code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, prior honorable service, allegation of being the victim of racial discrimination, post service good conduct, and current desire to upgrade your characterization of service. However, the Board concluded that your discharge should not be changed due to your misconduct. The Board found no evidence in your record to support your allegation, and you have provided no such evidence. You are advised that no discharge is upgraded automatically due merely to the passage of time or post service good conduct. In view of the above, 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,



ROBERT D. ZSALMAN
Acting Executive Director