



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

TAL  
Docket No: 3850-13  
2 May 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 16 April 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

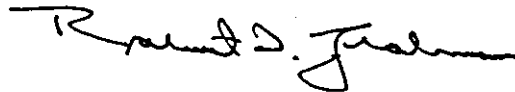
You enlisted in the Navy and began a period of active duty on 21 September 1970 at age 18. You received nonjudicial punishment (NJP) on three occasions for failure to go to your appointed place of duty, failure to obey a lawful order, using disrespectful language toward a noncommissioned officer, two instances of insubordinate conduct toward a noncommissioned officer, breaking restriction and insubordinate conduct toward a commissioned officer. On 20 September 1972, serving in paygrade E-3, you were honorably released from active duty. On 24 August 1976, upon completion of your military obligation, you received an honorable discharge.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record service. Nevertheless, the Board concluded these

factors were not sufficient to warrant changing your paygrade to E-4. There is no indication in the record, and you submitted no evidence, that supports your assertion that you were advance to E-4. 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,



ROBERT D. ZSALMAN  
Acting Executive Director