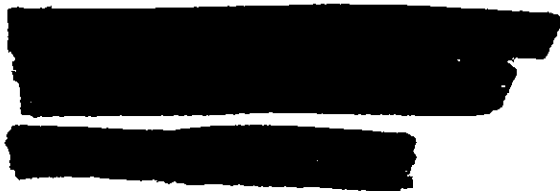




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 4782-13
30 April 2014



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 23 April 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.

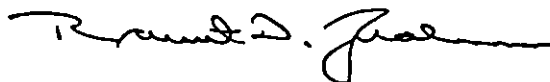
You enlisted in the Navy and began a period of active duty on 31 August 1981. You served without disciplinary incident until 19 January 1984, when you received nonjudicial punishment (NJP) for absence from your appointed place of duty and missing the movement of your ship. Shortly thereafter, on 17 May 1984, you were convicted by civil authorities of reckless driving and hit and run.

On 16 May 1986 and again on 20 August 1987 you received NJP for wrongful use of marijuana and cocaine. Subsequently, you were processed for an administrative separation by reason of misconduct due to drug abuse. After consulting with legal counsel, you waived your procedural right to present your case to an administrative discharge board. On 13 November 1987 your commanding officer recommended discharge under other than honorable conditions by reason of misconduct due to drug abuse. On 17 November 1987 the discharge authority approved this recommendation and directed separation under other than honorable conditions by reason of misconduct, and on 23 November 1987 you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your post service conduct and desire to upgrade your discharge. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge because of the seriousness of your repetitive misconduct which resulted in three NJPs and included drug abuse. 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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director