



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

TAL
Docket No: 5696-13
11 June 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 4 June 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.

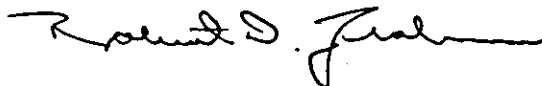
You enlisted in the Navy and began a period of active duty on 7 October 1996 at age 25. On 23 June 1998, you received nonjudicial punishment (NJP) for unauthorized absence (UA) from your unit for a period of six days. You received an evaluation report for the period of 22 January to 15 July 1998 that stated you received eight administrative remarks page 13s for failure to pay just debts. You were rated with significant problems and not recommended for retention. Based on the information currently contained in your record it appears that you were subsequently processed for separation by reason of misconduct (pattern of misconduct). In connection with this processing, you would have acknowledged the separation action and the

discharge authority would have approved a recommendation for separation. The record clearly shows that on 2 September 1998, you were discharged with an other than honorable separation by reason of misconduct (pattern of misconduct).

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant recharacterization of your discharge or change the narrative reason for separation given the seriousness of your misconduct that resulted in an NJP and your established pattern of failure to pay just debts. Finally, there is no provision of law or in Navy regulations that allows for recharacterization of service due solely to the passage of time. 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