



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

BJG  
Docket No: 6670-13  
28 July 2014

[REDACTED]

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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 28 July 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.

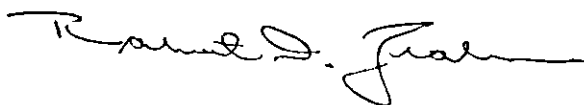
You enlisted in the Navy and entered active duty on 19 June 1978. You received nonjudicial punishment on four occasions for disobeying a lawful order, failure to properly perform preventive maintenance, making a false official statement, larceny (two instances), failure to go to your appointed place of duty, a three day period of unauthorized absence, and committing indecent acts with another Sailor. On 29 June 1981, you completed your active duty obligated service, were

transferred to the Navy Reserve with a general characterization of service, and assigned an RE-4 (not recommended for retention) reenlistment code. On 25 April 1984, you were discharged from the Navy Reserve with a general characterization of service, and not recommended for reenlistment.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, and current desire to upgrade your discharge and reenlistment code based on the repeal of the "Don't ask, don't tell" (DADT) homosexuality policy. However, the Board concluded that your general characterization of service should not be changed in light of your numerous acts of misconduct and non-recommendation for retention. Since you were not separated due to homosexuality, the Board found that the repeal of DADT did not apply to your case. 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