



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

BC  
Docket No: 07600-13  
18 August 2014

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy Reserve, filed enclosure (1) with this Board requesting, in effect, that his other than honorable (OTH) discharge be upgraded to honorable that he received on 25 March 1994.
2. The Board, consisting of Mr. Zsalman, Mr. Grover, and Mr. Midboe, reviewed Petitioner's allegations of error and injustice on 13 August 2014 and, pursuant to its regulations, determined that the limited corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:
  - a. Petitioner enlisted in the Navy Reserve on 1 December 1990. He received nonjudicial punishment (NJP) on 2 December 1993, for making a false official statement by submitting a transfer evaluation on himself and forgery of the commanding officer's signature. He received the Good Conduct Medal. He was then administratively processed for misconduct. He waived

his procedural right to an administrative discharge board. It should be noted that on 3 March 1994, Petitioner's commanding officer recommended that he receive an honorable discharge. On 25 March 1994, he was discharged under other than honorable conditions due to misconduct, and assigned an RE-4 (not recommended for retention) reentry code.

CONCLUSION:

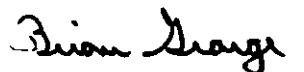
Upon review and consideration of all the evidence of record, the Board concludes that the OTH discharge was too harsh for an isolated act of misconduct. The Board particularly notes that he received the Good Conduct Medal and this was his only offense during more than three years of service. Moreover Petitioner's commanding officer recommended that he receive an honorable discharge. As a matter of clemency, the Board recommends a general characterization of service. In view of the above, the Board directs the following limited corrective action.

RECOMMENDATION:

- a. That Petitioner's naval record be corrected to show that he was assigned a general characterization of service vice the OTH on 25 March 1994.
- b. That no further relief be granted.
- c. That a copy of this report of proceedings be filed in his record.

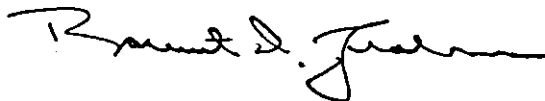
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
BRIAN J. GEORGE  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby

announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

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

ROBERT D. ZSALMAN  
Acting Executive Director