



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

REC  
Docket No: 08254-13  
11 September 2014

[REDACTED]

[REDACTED]

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 10 September 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.

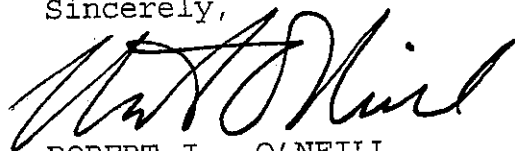
You enlisted in the Navy on 19 January 1979, at age 18. On 24 October 1980, you received nonjudicial punishment (NJP) for being in an unauthorized absence (UA) status for 34 minutes. On 24 October 1980, you received NJP for failure to go to your appointed place of duty. On 26 February 1982, you received NJP for dereliction in the performance of duty by sleeping on watch. On 19 March 1982, you received NJP for being UA for over 22 hours and wrongful use of marijuana. On 16 April 1982, you received NJP for being UA on three occasions. On 25 March 1982, administrative separation action was initiated by reason of misconduct (drug abuse). After being advised of your due process rights, you waived your right to have your case heard by an administrative discharge board (ADB). Your commanding officer forwarded his recommendation that you be discharged under other than honorable conditions (UOTHC) by reason of

misconduct (drug abuse). On 20 April 1982, the discharge authority directed a discharge UOTHC by reason of misconduct (drug abuse). You were so discharged on 26 April 1982, and assigned a RE-4 (not recommended for retention) reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. The Board found those factors insufficient to warrant recharacterization of your discharge, given your record of five NJPs for multiple offenses and drug abuse. Further, no discharge is upgraded merely because of the passage of time. In addition, the Board noted that you waived your right to an ADB, your best opportunity for retention or a better characterization of service. 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 J. O'NEILL  
Executive Director

Copy to:  
The Honorable John Boozman