



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

BAN  
Docket No. NR08350-13  
22 September 2014

[REDACTED]

[REDACTED]

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 28 August 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 29 January 1970. After eight months of service, you were diagnosed by a health professional as being emotionally unstable. Therefore, you were recommended for type warranted by service record separation due to unsuitability. The separation authority approved the recommendation and on 1 October 1970, you received a general discharge and an RE-4 (not recommended for retention) reenlistment code.

Character of service is based, in part, on conduct marks assigned on a periodic basis. Your conduct mark average was 2.5. A 3.0 conduct mark average was required for a fully honorable discharge.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and claim that you were told that in six months your

discharge would be automatically upgraded to a honorable characterization of service. Nevertheless, the Board concluded these factors were not sufficient to warrant changing your characterization of service due to your insufficiently high conduct average. You are advised that no discharge is upgraded automatically due merely to the passage of time or post service good conduct. 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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