



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

BJG
Docket No: 979-13
23 October 2013



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 22 October 2013. 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. The Board also considered the report of the Naval Discharge Review Board dated 25 May 1971, and an entitlement to awards summary dated 10 December 2012, copies of which are attached.

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.

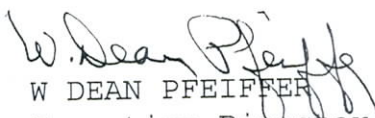
You reenlisted in the Navy on 21 March 1977 after more than three years of prior honorable service. Your record is incomplete, but you received nonjudicial punishment on two occasions for a 16 day period of unauthorized absence and other unknown offenses. On 21 March 1977, you were released from active duty and transferred to the Naval Reserve with a general characterization of service.

Character of service is based in part on conduct marks assigned on a periodic basis. Your conduct mark average was 2.86. A 3.0 conduct mark average was required for a fully honorable characterization of service.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, prior honorable service, and current desire to upgrade your discharge. However, the Board concluded that your discharge should not be changed due to your misconduct and insufficiently high conduct mark average. You are advised that no discharge is automatically upgraded due merely to the passage of time or post service good conduct. 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,


W DEAN PFEIFFER
Executive Director