




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


Docket No. 3287-16
SEP 24 2017



Dear 

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 U.S.C. §1552.


Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 12 June 2017. The names and votes of the members of the panel will be furnished upon request. 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.

You enlisted in the Navy and began a period of active duty on 4 May 1989. On 2 August 1991, you received nonjudicial punishment (NJP) for three specifications of unauthorized absence (UA), failure to obey a written lawful order, and damage to government property. You again received an NJP on 20 September 1991 for escaping from custody after being apprehended by security and disorderly conduct and drunkenness. On 29 May 1992, you received an NJP for failure to go to your appointed place of duty and missing movement. As a result of the foregoing, on 4 June 1992 you were notified of proposed administrative discharge proceedings by reason of pattern of misconduct, afforded all your rights and you chose to waive your rights to an administrative discharge board. Additionally, you signed statement of awareness and acknowledged that if separation is approved, your characterization of service may be under other than honorable conditions (OTH). On 2 July 1992, you were discharged with an OTH characterization of service.

The Board, in its review of your record, and application with supporting documentation, carefully weighed all potentially mitigating factors, such as your desire to upgrade your character of service and rationale for your misconduct. The Board concluded these factors were not sufficient to warrant relief in your case, because the Board did not identify any error or injustice in its review of your record. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,


Executive Director