



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

[REDACTED]  
Docket No: 03753-16

APR 18 2017

[REDACTED]  
Dear [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.

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 considered your application on 26 January 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.

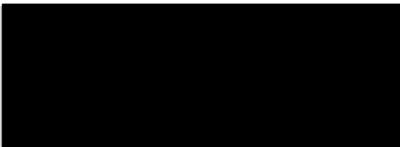
You began a period of active duty in the Navy on 27 February 1958. You served over a year without disciplinary incident. On 10 April 1959, you began a period of unauthorized absence which terminated on 15 April 1959, when you surrendered. On 26 April 1959, at summary court martial proceedings, you were found guilty of unauthorized absence and disobeying a lawful order. The court sentenced you to 30 days restriction, 30 days of hard labor without confinement, and forfeiture of \$50 pay per month for 6 months. On 21 October 1959, you received nonjudicial punishment (NJP) for two instances of failing to go to your appointed place of duty, and were awarded 10 days restriction. On 11 January 1960, at the end of your enlistment obligation, you were notified that you were not recommended for reenlistment. You were discharged from the Navy on 23 January 1960, with a general characterization of service

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. The Board considered your request for an upgrade to your general characterization of service, and noted your assertion that the general characterization was for your failure to make movement. When making its determination, the Board considered your final trait average of 2.85, and your command's recommendation that you not be reenlisted. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your post service career with the [REDACTED] and [REDACTED] transit companies and your pride in your naval service. The Board found that these factors were not sufficient to warrant recharacterization of

your discharge from general to honorable given your final trait average of 2.85 and your misconduct. 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