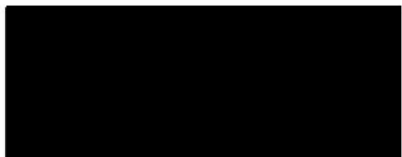




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No: 3767-16

MAY 11 2017



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, sitting in executive session, considered your application on 21 February 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.

Regarding your request for a personal appearance, be advised that Board regulations state that personal appearances before the Board are not granted as a right, but only when the Board determines that such an appearance will serve some useful purpose. In your case, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the Navy and began a period of active duty on 31 October 1978. According to the information contained in your record, you received several counselings from your Commanding Officer in regards to your difficulties with tardiness, unauthorized absence, fighting, and involvement with civil authorities. Subsequently, on 20 November 1979, you were notified of pending administrative separation action by reason of misconduct due to convenience of the government as evidenced by your failure to adapt to military life and involvement with civilian authorities. As a result of the foregoing, you were not recommended for reenlistment and received a general discharge due to the convenience of the government. On 23 November 1979, you were discharged.

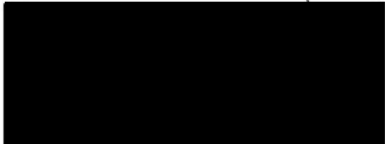
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge and contentions that you were told your discharge would be upgraded to

honorable after six months and that your social security number (SSN) is wrong on your Certificate of Released or Discharge from Active Duty (DD Form 214). The Board noted that Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.6. An average of 3.0 in conduct was required at the time of your separation for a fully honorable characterization of service. In regards to your contention that you were told your discharge would be upgraded to honorable after six months. The Board noted that there is no provision in law or regulations that allows for re-characterization of a discharge automatically after six months, due solely to the passage of time. Accordingly, your application has been denied.

In regards to your contention that your SSN is wrong on your DD Form 214, the Board noted that you did not provide any documentation to verify your correct SSN. As the correction to a SSN is administrative in nature, please submit your request for correction of your SSN, along with verification, to Navy Personnel Command (PERS-312), 5720 Integrity Drive, Millington TN 38055-3130.

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. 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