



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

[REDACTED]  
Docket No: 4087-16

JUN 13 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, sitting in executive session, considered your application on 15 March 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 23 February 1981. During the period from 21 April 1982 to 27 October 1983, you received five separate nonjudicial punishments (NJP) for the following offenses: assault, communicating a threat, absent from your appointed place of duty and three periods of unauthorized absence totaling 156 days. Subsequently, you were notified of administrative separation, at which time you elected your right to consult with counsel and to present your case to an administrative discharge board (ADB). The ADB recommended administrative discharge with an Other Than Honorable (OTH) characterization of service. The Separation Authority directed administrative discharge with an OTH characterization of service by reason of misconduct – frequent involvement and on 26 December 1983, 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 contention that you carried out all of your orders for your personal qualifications standards and for your rank. The Board concluded these factors were not sufficient to warrant relief in your case because of the

seriousness of your repeated misconduct, which included five NJPs. 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