



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

[REDACTED]  
Docket No. 6620-16

NOV 28 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 28 August 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, relevant portions of your naval record and applicable statutes, regulations and policies.

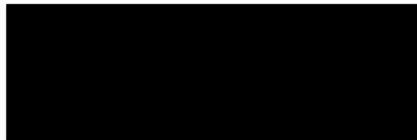
You enlisted in the Marine Corps and began a period of active duty on 29 August 1982. You received five nonjudicial punishments during your enlistment. The specific details of the NJPs were not available in your file. On 13 December 1980, you were convicted at SCM for two periods of unauthorized absence (UA) totaling a four days. On 24 June 1981, you were convicted at SCM for disrespect towards a commissioned officer, willful disobedience of a lawful command, and escape from lawful custody. During the period from 7 to 22 June 1982, you received three unfavorable statements of performance. As a result of the foregoing, administrative discharge action was initiated. On 13 August 1982, the separation authority directed that you be separated with an other than honorable (OTH) characterization of service by reason of misconduct due to frequent involvement of a discreditable nature with military authorities and on 16 September 1982, you were so discharged.

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. The Board carefully weighed all potentially mitigating factors, such as your desire to upgrade your character of service, your contention that your misconduct was caused by your youth and immaturity, and the contention that you had originally received a general under honorable conditions characterization of service. The Board determined that your repeated

misconduct outweighed your desire to upgrade your characterization of discharge. Additionally, your record clearly indicates that you were originally processed for and received an OTH characterization of service. 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