



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

[REDACTED]  
Docket No: 7214-16/

NOV 28 2017 5631-77

[REDACTED]  
Dear [REDACTED]

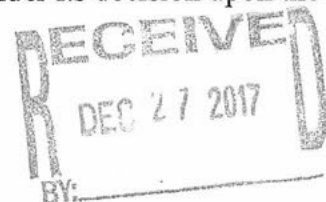
This is in reference to your latest reconsideration request dated 8 August 2016. You previously petitioned the Board and were advised in our letter that your applications had been disapproved. Your case was reconsidered in accordance with Board of Correction of Naval Records procedures that conform to *Lipsman v. Secretary of the Army*, 335 F.Supp.2d 48 (D.D.C. 2004).

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. Your current request has been carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session on 19 September 2017. The names and votes of the members of the panel will be furnished upon request. Documentary material considered by the Board consisted of your application and any material submitted in support of your application.

You presented as evidence a Mental Health Assessment Report. After careful and conscientious consideration of the entire record, the Board determined that the documentation that you provided, even though not previously considered by the Board, was insufficient to establish the existence of probable material error or injustice. A review of your recent application and its attachments reveal that again your request must be denied.

Regarding your contention that you were discharge due to your alcohol dependence problem, the Board noted that the record contains documented evidence which is contrary to your contention. The record clearly shows that on 2 October 1973, you were convicted by special court martial and received a bad conduct discharge for your prolong periods of being in an unauthorized absence status. The Board also noted that there is no evidence in your record, and you submitted none, to support your contention of being alcohol dependent. Finally, the Board also noted while commendable, being alcohol free for eight years does not alter your conduct while enlisted in the Marine Corps or the basis for your discharge.

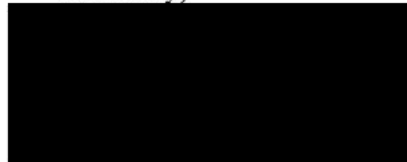
It is regretted that the circumstances of your reconsideration petition are such that favorable action cannot be taken again. You are entitled to have the Board reconsider its decision upon the



submission of new and material evidence. New evidence is evidence not previously considered by the Board. In the absence of sufficient new and material evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

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,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director