



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

[REDACTED]  
Docket No. 7456-16  
DEC 07 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 27 September 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 17 November 1981. On 2 May 1983, you were convicted at a summary court martial (SCM) for disobeying and disrespecting a noncommissioned officer (NCO) and being drunk and disorderly in a public place. From the periods of 13 June 1983 to 15 June 1984, you received three nonjudicial punishment (NJP) for offenses such as disobeying and disrespecting an NCO, unauthorized absence (UA) for a period of eight hours, and wrongful use of marijuana. As a result of the foregoing, administrative discharge proceedings were initiated and the separation authority directed an other than honorable (OTH) discharge by reason of misconduct. On 30 July 1984, you were discharged with an OTH characterization of service:

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, in its review of your record, and application with supporting documentation, carefully weighed all potentially mitigating factors, such as your desire to upgrade your character of service and your contention that you developed an alcohol drinking problem because felt that you were wronged by your recruiter not affording you the guaranteed military occupation specialty (MOS). The Board felt that you did not provide evidence that your recruiter offered you a guarantee for the electronic technician MOS.

The Board determined that the severity of your misconduct outweighed your desire to upgrade your characterization of discharge. The Board concluded there was no error or injustice in your record. 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,

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

Executive Director