



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

[REDACTED]  
Docket No: 8028-16  
NOV 29 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 17 October 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 Navy on 28 January 1981. During the period from 25 February 1982 to 20 September 1983, you received nonjudicial punishments (NJP) on seven occasions for 11 specifications of unauthorized absence (UA), two specifications of failure to go to your appointed place of duty, three specifications of being absent from appointed place of duty, disobeying a lawful order, disobedience to a chief petty officer, and assault. On 10 July 1985, you were convicted by a special court-martial (SPCM) of being UA for 477 days. You were sentenced to forfeitures of pay, confinement for four months, and a bad conduct discharge (BCD). On 18 February 1986, after the BCD was approved at all levels of review, you were discharge.

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 your desire to upgrade your discharge and contentions that you had an alcoholism problem and problems with your lower back when you were discharged. The Board noted that you submitted no evidence to support your contentions. The Board also noted that after being identified by the Navy as alcohol dependent, you denied alcohol rehabilitation. The Board concluded that these factors were not

sufficient to warrant relief given your misconduct which resulted in seven NJPs and a SPCM. 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 solid black rectangular box used to redact the signature of the Executive Director.

Executive Director