



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

[REDACTED]  
Docket No: 7817-17

MAR 29 2019

[REDACTED]  
  
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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. Consequently, your application has been denied.

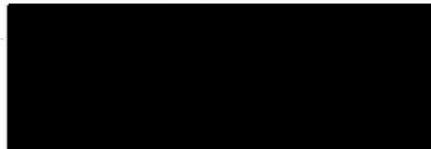
Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 13 December 2018. 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 2 October 1972. You subsequently completed your initial tour of active duty with an honorable characterization of service on 28 June 1973. On 29 June 1973 you were transferred to the Marine Corps Reserve, the record reflects that it you were informed of the 100 percent participation requirement in the organized Marine Corps Reserve. Subsequently, you were informed that you were being recommended for discharge by reason of unfitness due to unsatisfactory participation in the Marine Corps Reserve. An administrative discharge board (ADB) was convened and recommended that you be administratively discharged with an other than honorable (OTH) characterization of service. The separation authority approved the recommendation for administrative discharge, but suspended your discharge for a period of one year unless sooner vacated, if vacated the discharge will automatically take into effect without further action. You were informed of the separation authority's decision and also informed that if you continue to miss drill meetings the suspension of your administrative separation will be vacated. Subsequently, on 11 April 1976, your administrative discharge was issued, with an OTH characterization of service, by reason of shirking.

The Board carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge. The Board considered your contention that you did not know you were signing up for the Marine Corps Reserves because you could not read. The Board concluded that these factors were not sufficient to warrant upgrading your characterization of service given your unsatisfactory participation in the naval reserve. After a thorough review of the facts and circumstances unique to your case, the Board discerned no impropriety or inequity in the discharge action that would warrant a change in your characterization of service.

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