



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

██████████
Docket No. 2726-24
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted 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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 3 May 2024. The names and votes of the panel members 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, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice, or clemency determinations (Wilkie Memo).

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You enlisted in the US Navy and commenced a period of active duty on 30 January 1978. Between 6 September 1978 and 26 August 1980 you received non-judicial punishment (NJP) on eight occasions for eight specifications of unauthorized absence (UA) from your appointed place of duty, three specifications of disobeying a lawful order, breaking restriction, resisting apprehensions, and provoking gestures. You were also counseled, on 26 August 1980, and warned that further misconduct could result in the initiation of administrative separation proceedings. On 18 December 1980, you were convicted by a special court martial (SPCM) for attempting to steal property of the US Government with a value of \$682.50, willfully damage military property of a value of \$246.42, and unlawfully entering US Government property with intent to commit larceny. You were sentenced to a Bad Conduct Discharge (BCD), confinement, and forfeiture of pay. On 27 March 1981, you were counseled, and you were notified further misconduct could result in the

