DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 675-99
2 September 1999

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 31 August 1999. 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, your naval record and applicable statutes, regulations and policies.

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 found that you enlisted in the Naval Reserve on 5 March 1981 at age 20 and reported for extended active duty on 30 March 1981. On 23 August 1981 you were diagnosed with a passive aggressive personality disorder and alcohol dependence. On 11 June 1983 you received nonjudicial punishment for an unauthorized absence of about two days and making a false statement. Subsequently, you were counseled and warned that further misconduct could lead to an administrative discharge under other than honorable conditions. The record shows that you were an unauthorized absentee on two occasions in August 1983, totaling about 11 days. There is no disciplinary action in the record for these absences.

Based on the foregoing record you were processed for an administrative discharge due to unsatisfactory performance. In connection with this processing, you elected to waive your

procedural rights. Subsequently the discharge authority directed a general discharge. You were so discharged on 18 August 1983.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct and overall trait averages were 2.53 and 2.02, respectively. The minimum average marks required at the time of your separation for a fully honorable characterization of service were 3.0 in conduct and 2.8 in overall traits.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and the contention that your poor conduct and performance while in the Navy was caused by hyperthyroidism. You have submitted documentation showing that in March 1984 you were hospitalized and remained in a coma for about 25 days because of the thyroid problem. The Board found that these factors and contentions were not sufficient to warrant recharacterization of your general discharge given your record of misconduct, poor performance and your failure to achieve the required average marks in conduct or overall traits. The Board was aware that even if you had been diagnosed with hyperthyroidism while in the Navy and been discharged for that reason, you would have received the characterization of service warranted by your service record. In your case, that is a general discharge under honorable conditions. In addition, the Board believed that the hyperthyroidism, which was diagnosed about seven months after your discharge, did not excuse your periods of unauthorized absence while in the Navy. The Board concluded that the discharge was proper as issued and no change is warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter 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,

W. DEAN PFEIFFER
Executive Director