



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 3030-99

1 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 21 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 Marine Corps on 8 March 1973 at age 19. The record shows that during 1973 you received nonjudicial punishment on two occasions for an unauthorized absence of about eight hours, drunkenness on duty and destruction of government property. You then served without any further disciplinary infractions. However, the record shows two adverse service record entries dated 6 September 1977. The first entry states that you made a suicide gesture which resulted in a four day period of hospitalization. In the second entry you were counseled concerning marginal performance, poor military appearance and negative attitude. You also acknowledged the assignment of adverse marks in conduct and proficiency and that you were not recommended for reenlistment. You were released from active duty on 7 September 1977 with your service characterized as being under honorable conditions. You were subsequently, issued a general discharge at the end of your military obligation.

Character of service is based, in part on conduct and proficiency averages which are computed from marks assigned during periodic evaluations. Your conduct and proficiency averages were 3.9 and 4.0, respectively. A minimum average mark of 4.0 in conduct

was required at the time of your separation for a fully honorable characterization of service.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth, limited education and low score on the aptitude test. The Board found that these factors were not sufficient to warrant recharacterization of your discharge given your record of misconduct, counseling entries and failure to achieve the required average mark in conduct. The Board concluded that your service was properly characterized as being under honorable conditions when you were released from active duty and that the general discharge at the end of your military obligation was proper as issued.

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