



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

TJR
Docket No: 8212-00
28 February 2001

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 27 February 2001. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found you enlisted in the Navy on 31 January 1972 at the age of 18. Your record reflects that on 8 September 1972 you received nonjudicial punishment (NJP) for absence from your appointed place of duty and a day of unauthorized absence (UA). The punishment imposed was extra duty and restriction for 45 days and a \$50 forfeiture of pay, which was suspended for six months.

On 8 January 1973 you were processed for an administrative separation by reason of convenience of the government in accordance with an early release program. On 11 January 1973, while awaiting separation, you received NJP for an 11 day period of UA. Subsequently, the discharge authority directed a general discharge, and on 12 January 1973 you were so discharged.

Character of service is based, in part, on conduct and overall trait averages which are computed from marks assigned during periodic evaluations. Your conduct average was 2.3. An average of 3.0 in conduct was required at the time of your discharge for a fully honorable characterization of service.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, and your contention that your discharge would be automatically upgraded six months after your separation. However, the Board concluded these factors were not sufficient to warrant a change in the characterization of your discharge given the misconduct of record, and since your conduct average was insufficiently high to warrant an honorable discharge. Further, no discharge is upgraded merely due to the passage of time. Given all the circumstances of your case, the Board concluded your discharge was proper 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