



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

TJR  
Docket No: 2797-02  
6 November 2002

[REDACTED]

[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 5 November 2002. 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.

You enlisted in the Marine Corps on 10 August 1977 at the age of 18. On 2 February and again on 22 November 1978, you received nonjudicial punishment (NJP) for absence from your appointed place of duty, disrespect and an 11 day period of unauthorized absence (UA). During the period from 5 to 8 January 1979 you were in a UA status for four days. However, the record does not reflect that any disciplinary action was taken for this period of UA.

During the period from 6 February to 22 July 1980 you received NJP on three other occasions for insubordination, two specifications of disrespect, failure to obey a lawful order, disrespect, communicating a threat, and a seven day period of UA.

On 28 August 1980, at the expiration of your enlistment, you were issued a general discharge.

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 3.6. An average

of 4.0 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 contentions that there is no documentation in your record which supports a general discharge and that you completed your term of service and received a Good Conduct Medal. It also considered your request to change the date of birth on your Certificate of Discharge or Release from Active Duty (DD Form 214). Nevertheless, the Board concluded these factors and contentions were not sufficient to warrant recharacterization of your discharge because of your repetitive misconduct and since your conduct average was insufficiently high to warrant an honorable discharge. Further, the notation on your DD Form 213 does not show that you received a Good Conduct Medal, but only sets forth the starting date for the next period of the award. Accordingly, your application has been denied.

The Board also noted that you should contact Headquarters, United States Marine Corps, Deputy Chief of Staff for Manpower and Reserve Affairs (M&RA) Department, Separation Section (MMSR-3), 3280 Russell Road, Quantico, VA 22134-5103 to request an administrative correction of your date of birth on your DD Form 214.

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