



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

TJR
Docket No: 6291-01
19 February 2002



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 12 February 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.

The Board found you enlisted in the Marine Corps on 22 November 1972 at the age of 17. At the time of enlistment you had completed eight years of formal education and had a general classification test (GCT) score of 40 which placed you in Mental Group IV.

Your record reflects that on 17 September 1973 you received nonjudicial punishment (NJP) for disobedience and were awarded restriction for seven days and extra duty for eight hours.

On 29 May 1974 you received NJP for absence from your appointed place of duty, a 31 day period of unauthorized absence (UA), dereliction in the performance of your duties, and damage to government property. The punishment imposed was restriction and extra duty for 20 days, reduction to paygrade E-1, and a \$300 forfeiture of pay. Shortly thereafter, you were processed for an administrative separation by reason of convenience of the government due to your lack of potential as a petty officer as evidenced by your low GCT score and limited education. Subsequently, the discharge authority directed a general discharge, and on 17 June 1974 you were so discharged.

At the time of your separation, character of service was based, in part, on conduct and overall trait averages which were computed from marks assigned during periodic evaluations. Your conduct average was 2.87. An average of 4.0 in conduct was required at the time of your separation for a fully honorable characterization of service.

The Board, in its review of your record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, limited education, and low test scores. The Board also considered your contention that you were having family problems and began drinking. However, the Board concluded these factors and contentions were not sufficient to warrant recharacterization of your discharge because of your misconduct which resulted in two NJPs, and since your conduct average was insufficiently high to warrant an honorable discharge. Given all the circumstances of your case, the Board concluded your 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