



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

SRB  
Docket No: 03862-03  
30 October 2003



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 28 October 2003. 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 24 June 1982 at age 22. On 20 July 1982 you began a 36 month period of extended active duty.

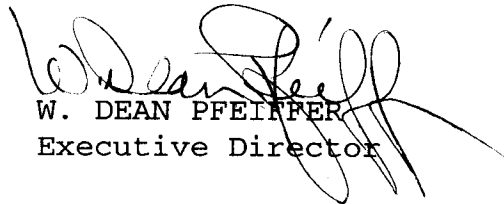
You then served without incident until 31 January 1984, when you were convicted by special court martial (SPCM) of two periods of unauthorized absence totaling about 116 days, missing movement and wrongful possession of marijuana. You were sentenced to a bad conduct discharge (BCD), confinement at hard labor for four months forfeiture of \$397 per month for four months and reduction to pay grade E-1.

On 11 March 1984 you departed on appellate leave. On 11 March 1985, upon completion of appellate review, you received the BCD.

The Board, in its review of your application, carefully weighed all potentially mitigating factors such as your youth and immaturity. However, the Board concluded that given your lengthy period of unauthorized absence, missing movement and drug abuse, the BCD was proper and appropriate. 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