



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

TRG
Docket No: 1569-01
6 September 2001

[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 5 September 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 25 May 1994 at age 22. The record shows that in December 1995 you were an unauthorized absentee for about one day for which no disciplinary action was taken. During the period 5 April 1996 to 6 November 1997 you received nonjudicial punishment on three occasions. Your offenses were four instances of unauthorized absence totaling about two days and a failure to go to your appointed place of duty. You were released from active duty on 26 May 1998 with your service characterized as honorable. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

The performance evaluation for the period ending 26 May 1998 is not filed in your service record, but it is assumed that you were not recommended for retention. However, the Board concluded that your disciplinary record was sufficient to support the assignment of the RE-4 reenlistment code.

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