



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

TRG
Docket No: 8062-00
10 October 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 2 October 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 Naval Reserve Advanced Pay Grade Program (APG) on 11 May 1999. An administrative remarks (page 13) entry prepared by the Naval Reserve Professional Development Center, dated 1 September 1999, states that you were being disenrolled from the APG program because of unauthorized absence, insubordination and disobedience. The page 13 further states, in part, as follows:

Be advised that based on your personal conduct on 31 August 1999 and 1 September 1999, you will not be readmitted into further Advanced Pay Grade training courses and it is recommended that you be administratively separated from the Naval Service.

Apparently, you were then returned to your parent unit to be processed for an administrative separation. The documentation to support the separation processing is not filed in your service record. However, a page 13 entry, dated 5 November 1999, states that you were separated from the Naval Reserve on that date because of entry level performance and conduct. The entry also indicates that you were not recommended for reenlistment and were

assigned an RE-4 reenlistment code.

The Board believes that the page 13 entries were sufficient to support separation action in your case. Regulations require a non-recommendation for reenlistment or the assignment of an RE-4 reenlistment code when an individual is separated by reason of entry level performance and conduct. Since you have been treated no differently than many others who failed to complete initial training, the Board could not find an error or injustice in the decision not to recommended you for reenlistment and 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