



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

CRS
Docket No: 8549-00
23 August 2001

[REDACTED]

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 21 August 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.

The Board found that you enlisted in the Naval Reserve on 17 December 1988. You reported to active duty on 25 July 1989. The record reflects that on 16 July 1992 you received nonjudicial punishment for stealing military property valued at \$85.92. The punishment imposed consisted of a forfeiture of \$250 and a reduction in pay grade to MSSN (E-3). Subsequently, on 24 July 1992 you were honorably separated and transferred to the Naval Reserve. At that time you were assigned a reenlistment code of RE-4. On 16 December 1996 you received an honorable discharge from the Naval Reserve.

The Board concluded that your nonjudicial punishment only eight days before your release from active duty, resulting in a reduction in rate, was sufficient to support the assignment of the RE-4 reenlistment code. The Board thus concluded that there is no error or injustice in your 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