



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

TRG
Docket No: 2202-00
11 April 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 10 April 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 Navy on 11 October 1988 at age 22. The available records show that you served without incident through the evaluation period ending on 28 June 1991. There are no further evaluations available to the Board. The record shows that on 25 November 1991, your advancement to YN3 (E-4) was withheld due to your failure to demonstrate petty officer qualities. However, you apparently overcame the problem and you were advanced in rate on 31 December 1991. On 28 February 1992 you received nonjudicial punishment for an unspecified period of unauthorized absence. The punishment imposed included a reduction in rate to YNSN (E-3). You were released from active duty on 5 October 1992 with your service characterized as honorable. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code. You were subsequently issued an honorable discharge at the end of your military obligation.

The Board assumed that if the final performance evaluation was available, it would show that you were not recommended for reenlistment and would set forth the reasons for that recommendation. The Board concluded that in the absence of the

last performance evaluation, the counseling entry temporarily withholding your advancement and the nonjudicial punishment for a period of unauthorized absence were sufficient to support the assignment of an 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