



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

WMP  
Docket No: 2221-02  
28 August 2002

[REDACTED]

[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 28 August 2002. 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, 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 reenlisted in the Navy on 14 September 1983 for four years as a petty officer second class (E-5) after four years of prior naval service. The record reflects that you served without incident until 7 August 1984, when you received nonjudicial punishment (NJP) for wrongful use of marijuana. The punishment imposed was forfeitures of \$300 per month for two months and reduction to paygrade E-4. The execution of all punishment was suspended for a period of six months.

On 16 December 1985 you were advanced to first class petty officer (E-6) and on 21 July 1986 you extended your enlistment for a period of 27 months.

Your record reflects that you received an adverse enlisted performance evaluation for the period of 1 December 1988 to 17

December 1989. In this evaluation you received marginal marks of 3.2 in initiative and 3.0 in reliability. Additionally, you were not recommended for advancement or retention. Your commanding officer stated that you performed satisfactorily, but were not ready for advancement to chief petty officer. He stated that your supervisory skills were weak, you lacked initiative, and could not be depended upon due to your frequent absences and tardiness.

On 13 December 1989, you received an honorable discharge due to fulfillment of service obligation and were assigned an RE-4 reenlistment code.

In its review of your application the Board carefully weighed all potentially mitigating factors such as your period of above average prior service and your desire to again serve your country. However, the Board concluded that your reenlistment code was justified based on the marginal performance documented in the last evaluation, the NJP, and your self admitted misconduct. Furthermore, based on your admission of misconduct, it would appear that you were fortunate to be discharged without the additional stigma of another nonjudicial punishment or a court-martial. 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