



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

FC
Docket No: 06543-02
24 January 2003

[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 15 January 2003. 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 26 July 1985 at age 20. During the period 28 January 1987 through 20 July 1988, you were awarded four nonjudicial punishments for various offenses. Upon the expiration of your enlistment on 26 July 1989, you were honorably released from active duty and assigned a reenlistment code of RE-4. At that time, you were serving in paygrade E-2.

In its review of your case, the Board carefully weighed all potentially mitigating factors such as your desire to again serve on active duty, and your final overall performance mark average of 3.64. However, the Board noted that an RE-4 reenlistment code must be assigned to individuals who are released from active duty while serving in paygrade E-2 because of failure to meet professional growth criteria. The Board also noted the four nonjudicial punishments.

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