



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

TRG
Docket No: 4152-08
24 March 2009

[REDACTED]

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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 17 March 2009. 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 were Honorably discharged from the Navy on 12 July 2004. At that time, you had completed about eight years of active service.

On 21 October 2004 you enlisted in the Navy reserve for two years. During the next year, you only attended eight drills. Based on your poor drill attendance, you were processed for an administrative discharge due to unsatisfactory participation. You were notified of this action by registered mail but never responded. On 23 August 2005, your commanding officer recommended a general discharge. After review, the separation authority directed a general discharge and the assignment of an RE-4 reenlistment code. The general discharge was issued on 6 September 2005.

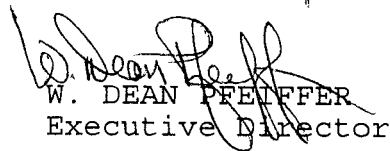
The Board believes that the telephone numbers of reserve centers are readily available either on line or by calling the telephone company. Therefore, it is clear that you should have contacted your reserve unit and requested transfer to an inactive status. Since you did not, the Board found that it was proper to process you for an administrative discharge which resulted in the assignment of an RE-4 reenlistment code. Since you have been treated no differently than others in your situation, the Board could not find an error or injustice in the assignment of the RE-4 reenlistment code. The Board concluded that the discharge and

reenlistment code were proper as issued and no change is warranted.

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