



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

BJG
Docket No: 11592-08
3 September 2009

[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 2 September 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 and medical records, 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 entered active duty in the Navy on 9 March 1987. On 18 March 1987, you were identified as a drug abuser through urinalysis. You were placed on the urinalysis surveillance program and warned that a second positive test would result in administrative separation. On 14 May 1987, you were counseled regarding violating the Uniform Code of Military Justice, Navy rules and regulations, being demotivated, having a negative attitude, and improper conduct and behavior. On 19 May 1987, you were notified of administrative separation processing for entry level performance/conduct as evidenced by your failure to adapt to

the naval environment. On 5 June 1987, you received an entry level separation characterization of service, and were assigned an RE-4 reenlistment code.

The Board, in its review of your entire record, carefully weighed all potential mitigation, such as your youth and the passage of time. Nevertheless, the Board concluded that these factors were not sufficient to warrant changing your entry level separation because of your misconduct and poor performance. You are advised that an entry level separation was required for Sailors who were discharged with less than 180 days of service. In view of the above, 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