



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

REC
Docket No: 02000-09
10 December 2009

[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 9 December 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.

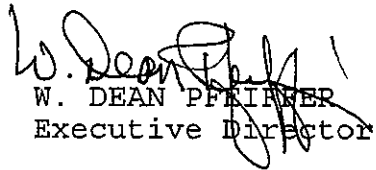
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 1 February 2000, at age 19. On 8 February 2001, you received a nonjudicial punishment (NJP) for losing military property. On 8 August 2002, you were honorably released from active duty due to parenthood and assigned an RE-3B reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as the fact that your current family situation has changed. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in the reenlistment code, which was based on your parental obligation at that time. Furthermore, the RE-3B code is the most favorable code that may be assigned when an individual is separated due to parenthood, and can be waived to allow reenlistment for active duty. 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