



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

BAN  
Docket No: 03535-09  
7 July 2010

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10, 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 1 July 2010. 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.

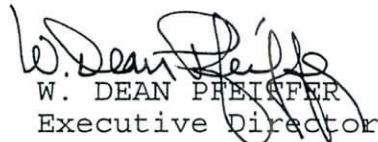
You entered active duty in the Navy on 1 September 1992. Although a complete review of your record shows no documentation of disciplinary action, the Board used the presumption of regularity that your record is correct and on 13 May 1994, you were separated with an honorable discharge and an RE-4 reenlistment code due to a reduction in force. Furthermore, the Board noted that you initialed and acknowledged your DD Form 214 in 1994, which indicated that you received an honorable discharge, and an RE-4 reenlistment code. The Board also noted that you were serving in pay grade E-1 at the end of your initial obligated active duty. To be eligible and recommended for reenlistment, you had to be at least serving in pay grade E-3.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as

your youth. Nevertheless, the Board concluded these factors were not sufficient to warrant a change to 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