



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

JRE  
Docket No. 05646-09  
1 October 2010

[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 23 September 2010. After careful consideration of your application, the Board concluded that your application was not timely filed, and that it would not be in the interest of justice to excuse your failure to submit your application in a timely manner. It concluded that you were aware of the alleged errors and injustices in your record on 28 June 1995, when you were honorably discharged, in accordance with your request, by reason of homosexual conduct admission. The Board was not persuaded that you were unfit for duty by reason of physical disability at that time, or that you had the right to serve out the remainder of your enlistment, which would have expired on 30 September 1995. In addition, it noted that as reenlistment is a privilege rather than a right, you would not have had the right to reenlist even if you had completed the full term of your enlistment.

You may request reconsideration of this decision. Your request must include newly discovered relevant evidence which was not reasonably available to you when you submitted your application. The evidence may pertain to the timeliness of your application or to its merits. Absent such additional evidence, further review of your application is not possible.

It is regretted that a more favorable reply cannot be made.

Sincerely,

  
W. DEAN PFEIFFER  
Executive Director