



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

BJG
Docket No: 6026-09
12 August 2009



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 11 August 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. The Board found that you had prior honorable service in the Navy Reserve from 1987 until 1990. You reenlisted on 27 June 1990. You received nonjudicial punishment for five specifications of writing insufficient fund checks. You received two adverse performance evaluations and were counseled on three occasions for being late to work, financial irresponsibility, and failure to meet body fat requirements. On 26 February 1994, you received an honorable discharge at the completion of your required active duty, and were assigned an RE-4 reenlistment code. On 12 May 1994, you

were released from the Navy Reserve and were not recommended for reenlistment.

The Board, in its review of your entire record, carefully weighed all potential mitigation, such as your youth and prior honorable service. Nevertheless, the Board concluded that these factors were not sufficient to warrant changing your reenlistment code because of your misconduct and substandard performance. 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