



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

TJR  
Docket No: 1533-10  
20 October 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 13 October 2010. The names and votes of the members of the panel will be furnished upon request. 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 on 22 June 1992 at age 18 and began a period of active duty on 19 November 1992. Although your record is incomplete, it appears that in October 1994 you were processed for an administrative separation by reason of misconduct due to a pattern of misconduct. As such, on 7 October 1994, you were issued a general discharge by reason of misconduct and were assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change your reenlistment code so that you may enlist in another branch of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code because of your misconduct which presumably resulted disciplinary incidents and nonrecommendation for retention or reenlistment. Further, the Board concluded that

your misconduct, even though it is not reflected in the record, was sufficient to support the assignment of an RE-4 reenlistment code, which is authorized and required by regulatory guidance. Accordingly, your application has been denied.

The Board suggested that you may wish to apply for a waiver of your RE-4 reenlistment code with branches of the armed forces other than the Navy.

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