



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

BJG
Docket No: 2531-10
17 November 2010



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.

You are advised that since your discharge is less than 15 years old, you may apply to the Naval Discharge Review Board for an upgrade. I have enclosed an application form for your convenience.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 16 November 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice. You entered active duty in the Navy on 12 June 2001. You received nonjudicial punishment on two occasions for unauthorized absence (two specifications totaling six days), failure to obey a lawful order, making a false official statement, and being derelict in the performance of

your duties. You were notified that you were going to be administratively separated due to a pattern of misconduct with a general characterization of service. You waived all of your procedural rights. You received the general discharge on 16 January 2004, and were assigned an RE-4 (not recommended for reenlistment) reentry code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth and current desire to upgrade your reentry code. However, the Board concluded that your reentry code should not be upgraded due to your misconduct. 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

Enclosure