



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

REC  
Docket No: 03841-10  
28 January 2011

[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 26 January 2011. 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 reenlisted in the Navy on 19 December 2000 after more than four years of honorable service. On 4 June 2002, you received nonjudicial punishment (NJP) for being in an unauthorized absence (UA) status and drunkenness. On 2 August 2002, you completed level two intensive out-patient treatment for alcohol dependence. You signed an agreement to maintain abstinence from alcohol, continue personal growth, and practice responsible behavior. However, on 24 September 2003, you received NJP for failure to obey an order or regulation by leaving a fellow Sailor on liberty and being UA one day. Your commanding officer forwarded his recommendation that you be discharged with a general discharge by reason of a pattern of misconduct. However, the discharge authority directed a general discharge by reason of alcohol rehabilitation failure. You were then processed for separation by reason of alcohol rehabilitation failure. After you were advised of your rights, you elected to receive copies of documents to be forwarded to the separation authority, but waived all your other procedural rights. Subsequently, on 31 October

2002, you were discharged with a general discharge by reason of alcohol rehabilitation failure. At that time, you were assigned a reentry code of RE-4.

In its review of your application, the Board considered all mitigating factors, such as your youth. However, the Board found these factors were insufficient to warrant changing your reentry code due to you being an alcohol rehabilitation failure. The Board thus concluded that there is no error or injustice in your RE-4 reentry 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