



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

TAL
Docket No: 10853-10
27 July 2011

[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 20 July 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 Reserve on 5 March 2005. Based on the information currently contained in your record it appears that you were subsequently involuntarily processed for separation by reason of unsatisfactory performance. In connection with this processing, you would have been afforded the right to acknowledge the separation action and the separation authority would have approved a recommendation for separation. The record clearly shows that on 9 August 2008, you were discharged by reason of unsatisfactory performance. At that time you were assigned an RE-4 reentry code, which means that you were neither recommended nor eligible for reenlistment.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your overall record and prior honorable service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in the narrative reason and reentry code given the non-recommendation for reenlistment. Concerning your approved transfer to the Individual Ready Reserve, there is no evidence in the record and

you submitted none to support your assertion. 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