



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

TJR
Docket No: 11698-10
30 August 2011

[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 30 August 2011. 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 16 June 2005 at age 18 and began a period of active duty on 12 January 2006. Although you served without disciplinary incident, during the period from January through April 2006, you were repeatedly counselled and warned of administrative separation due to deficiencies in your performance and unsatisfactory conduct and/or behavior, specifically, your failure to meet minimum physical fitness assessment (PFA) standards.

Subsequently, you were recommended for an expeditious administrative separation after nine attempts, to no avail, to meet your PFA standards and your lack of motivation. As a result, on 12 April 2006, you were notified of pending administrative separation by reason of performance and conduct. At that time you did not object to the separation and waived your right to submit a rebuttal statement to the aforementioned

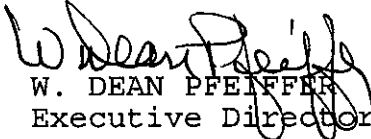
notification. Subsequently, the separation authority directed an uncharacterized entry level separation by reason of performance and conduct, and on 20 April 2006 you were so separated and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to reenlist. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code. Further, the Board concluded that your substandard performance was sufficient to support the assignment of an RE-4 reenlistment code. Finally, such a code is normally assigned to Sailors who are separated due to their failure to complete recruit training. 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