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

BJG
Docket No: 341-11
13 October 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 12 October 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and entered active duty on 7 June 1994. You received nonjudicial punishment on two occasions for larceny, wrongful appropriation, unauthorized absence (three specifications), and failure to obey an order or regulation. You were then notified that your commanding officer was administratively separating you due to misconduct. On 30 April 1999, you received a general characterization of service discharge while serving in pay grade E-2 due to misconduct, and were assigned an RE-4 (not recommended for retention) reentry code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth and current desire to serve in the armed forces. However, the Board concluded that your reentry code should not be changed due to your misconduct and non-recommendation for retention. The Board noted that you were fortunate to receive a general characterization of service since Sailors who have committed misconduct such as yours are normally discharged under other than honorable conditions. 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