



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE RD SUITE 1001  
ARLINGTON VA 22204-2490

BAN  
Docket No: 03773-11  
10 January 2012

[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 5 January 2012. 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 entered active duty in the Navy on 19 June 1990, and served without incident until 22 January 1992, when you received nonjudicial punishment (NJP) for an unauthorized absence (UA). Shortly thereafter, you received the following disciplinary actions: on 21 April 1992, you received NJP for UA; and on 11 May 1992, for UA. Therefore, you were recommended for separation with an other than honorable discharge (OTH) due to misconduct. You waived your right to counsel and an administrative discharge board (ADB). The separation authority approved the recommendation and on 10 June 1992, you were separated with an OTH and an RE-4 reenlistment code. In 2003, you petitioned this Board for a discharge upgrade to a general which was granted. You then submitted another application to this Board in April 2011, requesting a change to your reenlistment code from a RE-4 to a RE-2.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth, and claim that your punishment was too severe to warrant an RE-4 code. Nevertheless, the Board concluded these factors were not sufficient to warrant a change to reenlistment code due to your frequent acts of misconduct. 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