



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

SJN
Docket No: 05797-11
22 March 2012

[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 March 2012. 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 and began a period of active duty on 20 July 2001. The Board found that although the record is incomplete, on 19 September 2006 and 7 June 2007, you received nonjudicial punishment (NJP) for what appears to be two periods of unauthorized absence (UA) totaling 35 days. Additionally, on 10 August 2007, you received an honorable discharge by reason of convenience of the government due to hardship. At that time you were assigned a "KDB" (hardship) separation code and an RE-4 reentry code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth, record of service, the reasons surrounding the cause of your discharge, and desire to change the reason for your discharge and RE-4 reentry code. Nevertheless, the Board concluded these factors were not sufficient to warrant such a change to the reason for your discharge or RE-4 reentry code given your two NJP's for periods of UA totaling over 30 days. In this regard, you were assigned the appropriate reentry code based

on your circumstances. Finally, the Board found that your "KDB" separation code was also properly assigned. Accordingly, your application has been denied.

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