



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

REC  
Docket No: 00475-12  
1 November 2012

[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 24 October 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 enlisted in the Navy and began a period of active duty on 4 March 2009, at age 19. On 2 October 2009, you received nonjudicial punishment (NJP) for failure to obey an order by drinking alcohol while under age. On 13 November 2009, you received NJP for failure to obey an order on two occasions. On 12 February 2010, you received NJP for three incidents of failure to obey an order by wearing unauthorized civilian clothing, not properly signing out of the command, and leaving without utilizing the buddy system. You were notified that administrative discharge procedures were initiated and that you would receive a general discharge due to misconduct upon your separation. The discharge authority directed a general discharge. You were so discharged on 18 March 2010, and assigned an RE-4 (not recommended for retention) reentry code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as record of service. However, the Board found that these factors were not sufficient to warrant any change in your reentry code, given your record of three NJP's for misconduct and non-recommendation for retention. The Board also noted that you were fortunate to receive a general discharge since a separation under other than honorable conditions is often directed when an individual is found to have committed 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,



ROBERT D. ZSALMAN  
Acting Executive Director