



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

REC  
Docket No: 04028-12  
27 February 2013

[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 21 February 2013. 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 25 June 1982, at age 18. On 17 March 1983, you received nonjudicial punishment (NJP) for being absent from your appointed place of duty and being in an unauthorized absence (UA) status for almost an hour. On 2 June 1983, you received NJP for two incidents of UA. On 8 September 1983, you received NJP for being UA and larceny. On 1 December 1983, you received NJP for being UA for one day. On 9 December 1983, you were advised that your commanding officer was recommending you for administrative separation. You elected to have your case heard by an administrative discharge board (ADB). On 23 February 1984, your case was heard by the ADB and by a unanimous vote of 3-0 you were recommended for administrative separation with an other than honorable (OTH) characterization of service due to misconduct. On 10 April 1984, your commanding officer agreed with the ADB and forwarded his recommendation

that you be discharged with an OTH characterization of service by reason of misconduct. On 9 May 1984, the discharge authority directed an OTH discharge by reason of misconduct (pattern of misconduct). On 10 May 1984, you were so discharged. At that time you were assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth. Nevertheless, the Board found that these factors were not sufficient to warrant changing the characterization of your discharge, given your record of four NJP's for misconduct. In this regard, an RE-4 reenlistment code is required when an individual is discharged for misconduct and is not recommended for retention. 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