



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

BC
Docket No: 02496-14
14 August 2014



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 13 August 2014. 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 14 December 2005. On 15 November 2006, you failed to meet the body fat composition standard. On 18 April 2007, you received counseling concerning two incidents of driving on a suspended license and driving a vehicle without permission. On 18 June 2007, you again failed to meet the body fat composition standards. On 14 May 2009, you received nonjudicial punishment (NJP) for dereliction in the performance of your duties. On your separation physical it documents that you failed to meet the physical fitness requirements on three occasions within a four year period. You were informed that you were being recommended for administrative separation due to not meeting physical fitness standards. Your commanding officer recommended that you receive an honorable discharge. On 29 May 2009, you were discharged by reason of physical standards with an honorable characterization of service and assigned an RE-4 (ineligible for reenlistment) reentry code.

As you have failed to demonstrate that your reentry code was assigned in error or that it would be in the interest of justice to assign a more favorable code, the Board was unable to recommend favorable action on your request. 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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director