



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 1228-99

30 June 1999

[REDACTED]

Dear [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 29 June 1999. 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 27 June 1984 at age 17. The record shows that you received nonjudicial punishment on two occasions for an unauthorized absence of about two days, leaving your appointed place of duty and disobedience. About 30 months after the second nonjudicial punishment, on 16 December 1987 you were advanced to RM3 (E-4).

In the performance evaluation for the period 1 July 1987 to 22 April 1988 you were assigned adverse marks of 2.8 in the categories of reliability and personal behavior. The overall evaluation was an adverse 2.8 and you were not recommended for advancement or retention in the Navy. The evaluation comments state, in part, as follows:

... He has often been unreliable and unable to complete assigned tasks without constant supervision. He exhibits little motivation for work or for remaining in the Navy and consequently, his work and that of the division has suffered. ... has bordered on insubordination on numerous occasions and has required more attention by the division leadership than is the accepted norm. He has developed a poor working

relationship with his peers and his attitude forced his removal as inport Duty Radioman. ....

You were released from active duty on 22 April 1988 with your service characterized as honorable. At that time you acknowledged that you were not recommended for reenlistment and were assigned an RE-4 reenlistment code. Subsequently, you were issued an honorable discharge at the end of your military obligation.

The Board concluded that since you received two nonjudicial punishments and the last performance evaluation was adverse, there was sufficient evidence to support the assignment of the RE-4 reenlistment code. 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