



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 5501-98
26 May 1999

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 25 May 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 September 1993 at age 20. The record shows that you received nonjudicial punishment on two occasions. However, the details of your offenses are not available. In the performance evaluation for the period 16 July 1997 to 26 February 1998, you were assigned an adverse mark of 1.0 in leadership and were not recommended for retention in the Navy. The evaluation comments stated that your "adjustment to the standards of the Naval Service has been inadequate toward retention." You were released from active duty on 26 February 1998 with your service characterized as honorable. At that time you were not recommended for retention and were assigned an RE-4 reenlistment code.

The Board concluded that the two nonjudicial punishments and the final adverse performance evaluation were sufficient 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