



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

TRG
Docket No: 8217-98
6 May 1999

[REDACTED]

Dear Ms. [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 4 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 23 February 1993 at age 18. On 29 February 1996 you received nonjudicial punishment for an absence from your appointed place of duty. On 22 January 1998 you received another nonjudicial punishment for making a false official statement. The punishment imposed included a reduction in rate from SN (E-3) to SA (E-2).

The record also shows that on 4 February 1998 you were issued a general discharge by reason of parenthood or custody of minor children. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

Regulations allow for the assignment of an RE-4 reenlistment code when an individual is discharged by reason of parenthood or custody of minor children. Your record which includes two nonjudicial punishments could support the assignment of an RE-4 reenlistment code. Finally, the Board noted that regulations require the assignment of an RE-4 reenlistment code to individual serving in pay grade E-2 after the completion of an extended period of active duty. Given the circumstances, the Board

concluded that the RE-4 reenlistment code was properly assigned and no change was warranted.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

You may request a review of the characterization of your service by completing the enclosed application, DD Form 293, and sending it to the Naval Discharge Review Board.

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

Enclosure