



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

TRG
Docket No: 6321-00
8 March 2001

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 6 March 2001. 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 Naval Reserve on 31 October 1994 at age 18 and reported for three years of active duty on 20 June 1995. Although your record is incomplete, it shows that on 17 April 1998 you received nonjudicial punishment for two unspecified periods of unauthorized absence. The punishment imposed included forfeitures of \$500 and a reduction in rate to SA (E-2). The reduction in rate was suspended. On 11 May 1989 the suspension was vacated due to continuing misconduct and you were reduced to SA. Subsequently, you extended on active duty for four months. You were released from active duty as an SA on 13 October 1998 with your service characterized as honorable. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code to individuals who do not meet professional growth criteria because they are serving in pay grade E-2 when they are released from an extended period of active duty. In addition, your record of misconduct could have led to the assignment of an RE-4 reenlistment code. Since you have been treated no differently than others in your situation, the Board could not find an error

or injustice in 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