



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

TRG
Docket No: 385-01
21 June 2001

[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 19 June 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 letter to you from Headquarters Marine Corps (HQMC), dated 14 November 2000, states that that you received nonjudicial punishment for driving under the influence of alcohol. The letter also states that you were counseled concerning not being recommended for promotion, a lack of maturity, driving under the influence of alcohol, and failure to complete level III alcohol treatment. HQMC denied your request for a change in the reenlistment code. In addition, the Board noted that four of your six fitness reports as a sergeant were adverse and it is clear that you were not competitive for promotion to staff sergeant.

The Board concluded that the foregoing record was sufficient to support the assignment of the RE-4 reenlistment code, and a change in that code is not warranted. 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