



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

TRG
Docket No: 7447-01
7 March 2002



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 5 March 2002. 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.

You enlisted in the Naval Reserve on 18 November 1981 at age 17 and reported for three years of active duty on 21 June 1982. During 1984 you received nonjudicial punishment on five occasions. Your offenses were three periods of unauthorized absence totaling about three days, missing movement, several absences from your appointed place of duty, dereliction of duty, three instances of disobedience, making a false official statement, and abandoning watch. The Enlisted Performance Record (Page 9) shows that the in the evaluation for the period 1 February to 21 June 1985, you were assigned an adverse marks of 1.0 in reliability and 2.6 in several other categories. The page 9 indicates that you were not recommended for reenlistment. The DD Form 214 is not filed in your record. However, you state that you were released from active duty on 21 June 1985 with your service characterized as honorable.

In your application you are requesting a change in the RE-4 reenlistment code so that you can reenlist in the military. You contend that a lieutenant was out to get you and caused your disciplinary infractions.

The Board found that a record which includes five nonjudicial punishments and the final adverse performance evaluation was sufficient to support the assignment of an RE-4 reenlistment code. The Board concluded that the RE-4 reenlistment code was properly assigned and no change is 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